This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

c.c-p.l.

CHURCH AND STATE IN FRANCE

1300—1907

CHURCH AND STATE IN FRANCE

1300—1907

BY

ARTHUR GALTON

VICAR OF EDENHAM AND CHAPLAIN TO THE EARL OF ANCASTER

LONDON

EDWARD ARNOLD

41 & 43 MADDOX STREET, BOND STREET, W.

1907

[*All rights reserved*]

LIBRARY
INSTITUTE OF
ADVANCED
STUDY

108031

TO

FRANCIS GALTON

F.R.S., LL.D., ETC., ETC.

WITH

AFFECTION AND GREAT RESPECT

PREFACE

A BOOK on a foreign country by a foreigner might seem to require a two-fold apology. At any rate, it imposes an explanation. To begin with, the subject here treated is not altogether foreign. I aim at describing the relations between the French State and the Court of Rome; and the Roman *Curia* professes to be an international organization. Its procedure, therefore, towards one nation must be studied as a possible precedent for its dealings with another. Every State is thus interested in the present quarrel between France and the Vatican, and has not only the right but the duty to understand it. Such an understanding can only be gained by some knowledge of the past; and some guidance for the attainment of this knowledge is all that is attempted in the present essay.

The writer has no wish to interfere with the internal concerns of our French neighbours and friends, or to take any side in their party politics. That was the grievous error of our own Tory party in 1793, and grievous penalties were exacted for it: not only the penalty of a tremendous and probably an avoidable war, but the penalty of reaction and long stagnation in our domestic affairs. Parliamentary Reform, Roman Catholic Emancipation, and a statesmanlike settlement of the Irish Question might have been carried by Pitt before the end of the eighteenth century, if our country, misled by Burke, had not interfered with the domestic policy of the new French Republic. Such errors will not be repeated by England, and we must hope that the new Germanic Empire, which still has so much to learn, may take warning by our example.

Putting these aspects of the question aside, the qualifications or the competence of a foreigner to deal with the affairs of another country may be challenged. I lay no

claim to any special competence, though I venture to think I may have some qualifications. During a studious life, which is beginning to approach a term that may be described as long, I have managed to read a very large amount of theology and history. France has always had a singular attraction for me, and I have been familiar with the country for almost fifty years. I cannot remember when I did not know some French words, and I could read French almost as soon as English. These beginnings fostered a taste for French which amounts to a passion: a passion extending not only to the language, but to that absorbing drama which is called French history, and to the splendid achievements of French civilization. I do claim, then, to have a tolerably wide acquaintance with French history and literature; and I have always tried, so far as it can be done through current literature and journalism, to keep in touch with French affairs.

In addition, I have had ten years' experience, as an ecclesiastic, of the Roman Catholic Church in England; so that the matters, or at any rate the principles, dealt with in this volume, are quite familiar. One result of such an experience is an understanding of the game, so that it is generally possible to anticipate the course of it some way in advance of the actual moves.

With regard to the present work, my first notion was to translate the sturdy volumes of M. Debidour. I was persuaded, however, to write instead of translating; and this volume is the result. I owe it, both to my readers and to myself, to say that, with the exception of certain books which have appeared within the last three or four months I have not read up this subject with a view to writing. Nor did my interest in it begin with the Separation Law, or even with the Ministry of M. Combes. I venture to write, because I have read in it long and habitually for its own sake. If I had been asked for a list of books on the subject, when Separation began to be talked about, I should have given, with very few exceptions, the bibliography which is now appended to this volume.

The last six months have modified my views in only one

direction. I have been led by more careful reading to alter my previous judgment about the *Constitution Civile du Clergé*. That particular incident of the Revolution had not interested me much. I had accepted the current views of it blindly, and I must own that I was misled by all the usual authorities in English, and by many of the standard writers in French. The earlier Separation, in 1794, led me to reconsider the whole question when the present Separation was effected; and so I went back to the history and origin of the *Constitution Civile*. I need not do more here than refer my readers to the chapter which deals with it, and to what I have said in detail there (Chapter IV, section 2, pages 78–93). I look upon that chapter as the most solid part of my volume; and, in its bearing upon several of our own ecclesiastical problems, I hope it may not be the least interesting to some of my readers. The *Constitution Civile* itself, the Committee which framed it, the Assembly which voted it, and the clergy who accepted it, have all been strangely, shamefully, and persistently vituperated. Many English readers appear to know it only in Burke's rhetoric, or in two sentences by Mr. John Morley, which occur in his Life of Burke (page 227). The fuller treatment of Jervis is both unfair and unsatisfactory. It has the farther disadvantage of resting upon an inadequate foundation. Jervis had not sufficient knowledge to deal justly either with the church or with the Revolution, and fuller investigations have rendered much of his work obsolete. He has also the more serious disadvantage of being inconsistent with himself. In his 'Gallican Church and the Revolution', Mr. W. S. Lilly quotes him [1] as saying of the *Constitution Civile*, 'It was a high-handed invasion of the traditional discipline, and even of the constitution, of the church, under the *specious pretext* of recalling it to the standard of primitive antiquity'; but, in his larger 'History of the Church of France' (vol. ii, page 402) Jervis writes, 'The spirit in which many of its regulations were conceived was *clearly that of a return* to the primitive principles of

[1] *The Times*, January 11, 1907.

church government, anterior to the usurpations both of the Papacy and despotic royalty.' This view is undoubtedly truer to facts; but the two views are incompatible with one another, and therefore I cannot agree with Mr. Lilly in accepting Jervis as a 'high authority'.

For obvious reasons, general histories of the Revolution cannot deal adequately with any part of it. The general statements of Thiers and Michelet, for instance, cannot be set against the conclusions of minute and detailed investigators. Even Taine must be read with a great deal of caution. Prince Napoleon has shown, in a most brilliant and charming essay, how inaccurate Taine has been in his treatment of the great Emperor. MM. Langlois and Seignobos, in discussing 'interpretative criticism' and the scientific use of documents, speak thus of Taine, 'He had made extracts from unpublished documents, and inserted a great number of them in his work, but it would seem that he did not first methodically analyse them in order to determine their meaning.'[1] The two critics point especially to Taine's work on the Revolution, as liable to these charges; and it must be owned that his account of the *Constitution Civile* is demolished at once if it be confronted with the document itself. The best, and indeed the indispensable, interpreters of the *Constitution*, especially for English readers, are M. Aulard in his various *Études sur la Révolution Française* and M. Edme Champion in *La France d'après les Cahiers de* 1789, and *La Séparation de l'Église et de l'État en* 1794. There is also a clear and strong account of the whole subject, in its causes and consequences, by M. Debidour in his *Histoire des Rapports de l'Église et de l'État en France de* 1789 *à* 1870.

Mr. W. S. Lilly has taken it upon himself to dispose of these authorities as 'mostly partizan', but, among their many excellences, a dispassionate handling of facts is perhaps the most conspicuous. I will end this subject, however, by referring Mr. Lilly to an author whose partizanship he cannot blame. M. Paul Pisani, Docteur ès Lettres, Docteur

[1] 'Introduction to the Study of History,' p. 143.

en Théologie, Chanoine de Paris, has published since the beginning of this year an admirable and much-needed *Répertoire Biographique de l'Épiscopat Constitutionnel* (1791–1802). His biographies dispose of a great deal of calumny. In his Preface, he discusses the documents and the evidence, remarking that even the long and careful work of Sciout, published from 1872 to 1881, was 'trop tôt', was 'prématuré'; because so large a mass of evidence was then unclassified and inaccessible. It may be remarked here that Jervis published his longer history in 1872, and the shorter in 1882. As one History ended when Sciout was beginning, and the other coincides with Sciout's ending, he is naturally even more incomplete and premature; and so of the other 'authorities' whom mere controversialists have set up against the facts. M. Pisani goes on to say farther 'La constitution civile du clergé ne fut pas, comme on l'a dit à tort, une conception artificielle, sortie du cerveau de quelques jansénistes, élaborée dans d'obscurs conciliabules, et violemment imposée à la France indignée et frémissante, grâce à des manœuvres machiavéliques. Il me semble, tout au contraire, qu'elle a été la conséquence rigoureusement logique de la situation que je viens d'analyser': [1] and he goes on to explain how the prizes of the church had been monopolized by the *noblesse*, how the lower clergy were *humiliés et parfois réduits à la misère*. These abuses, he proceeds to argue, were caused by Gallican principles, by want of submission to the Sovereign Pontiff, by obstructing the papal jurisdiction. But I have anticipated this line of argument, as an explanation of, or an apology for, the abuses of the old *régime*; and I have shown that these abuses were increased habitually in many places by papal mis-use of patronage, and that they were even more flagrant where the papal administration was supreme. [2]

I am sorry that this excellent and interesting volume only reached me when I had written about the *Constitution Civile*. I was too busy to read it until I had a few days

[1] *Op. cit.*, page 8.

[2] See Chapter III, section 2, The Gallican Church of the Eighteenth Century, pages 56, 57.

of leisure between the departure of my manuscript and the return of proofs, and so I could not utilize it in the body of my work. I may point out, however, that M. Pisani agrees substantially with the authorities on whom I have relied, and that his general estimate of the situation bears out what I have said in Chapter IV. At the same time, M. Pisani is an ultramontane who is loyal to his cause, and there are many points on which we must agree to differ. It is refreshing, however, to find on that side so candid, courteous, chivalrous an adversary. For all these reasons I commend him to the attention of Mr. Lilly.

There is another book which, to my extreme regret, has come to my knowledge too late. I refer to the *Rome et Napoléon III*, 1849–1870, by MM. Bourgeois and Clermont. The volume itself has not reached me as yet, and I know it only through *The Times* reviewer.[1] I don't profess to have studied the second empire exhaustively, but I have read about it minutely, and extensively; and so I can appreciate the excellence of the review, in its knowledge of the period, though I cannot judge about its presentation of the volume. So far, however, as that presentation be sound, I may remark that my own sketch and explanation of the second empire, and of Napoleon the Third, seem to be justified in every particular by the researches of MM. Bourgeois and Clermont.[2]

With regard to the main subject of this volume, there has been little change in the general position since I finished writing my Conclusion. The latest effort of M. Briand to conciliate the Vatican has apparently failed, as I expected. The Vatican does not wish to be conciliated. It wishes, if possible, to provoke troubles in France, and to throw the responsibility on the Government. In its first aim, it has failed hitherto; and, unless the French Government blunder grievously, it will be less and less likely to succeed. And as to responsibility for the present situation, neither the French people nor any impartial and instructed foreigners

[1] *The Times* Literary Supplement, March 1, 1907.

[2] See Chapter IX, The Second Empire, pages 181–200.

are likely to be deceived by the clumsy manœuvres and the sophistical representations of Cardinal Merry del Val. In the particular matter of the leases, which is the latest phase of the negotiation, the Vatican demands a full and free possession of every church for eighteen years, while the State and the local authorities are to have no option about the tenants of their property, and no guarantee for the usage or the dilapidations. In other words, the Vatican is to possess every French church for a period of eighteen years, to put in any occupier whom it may choose, and to incur no responsibility for maintenance. Under cover of this blind agreement, the *Congrégation* is to be installed gradually in the parishes of France. Another calculation has evidently contributed to the rejection of M. Briand's offer. It was proposed that the leases should be granted to the *curés*, and that they should be renewable at every change of incumbency before the full term expired. This proposal was refused; and the Vatican demanded, in effect, that the bishops, not the *curés*, should be the recognized lessees. The reason for this is obvious to those who understand the papal system, though it is not so apparent to outsiders. I have had occasion to point out, more than once, that the ecclesiastical authorities have obstructed every proposition which seemed likely to give security of tenure and possibilities of freedom to the lower clergy or to the members of religious orders. The leases, as projected by M. Briand, would have given the *curés* an assured, and a more independent, position for at least eighteen years. Such a possibility is terrifying both to the Vatican and to the episcopate, for the reasons which I have explained already. Everything in the papal system is sacrificed to obedience and authority; and, in this case, the interests of the clergy and the possibility of a settlement are both sacrificed, to say nothing about the larger interests of the laity, in order that the Vatican may dominate the French episcopate, and that the parochial clergy may depend helplessly upon the representatives of the Vatican.

So the situation remains at present; and, in this volume at any rate, I can deal with it no farther. I anticipate, however, that a great many liberating forces are working

and germinating below the surface in the French church, and that they will work out in directions which are not likely to re-assure the Vatican.

I cannot leave this Preface without drawing attention to a couple of letters which have appeared in *The Times* by 'A French Catholic'.[1] My readers will find that his presentation of the case is both a general and a detailed endorsement of my essay. I do not write this as an appraisement of my own work, but as an appeal to the confidence of my readers. I would impress upon them, also, the contrast between this 'French Catholic' and the various English ultramontanes who have discussed Separation in our newspapers and magazines. This Frenchman, who at least knows what he is talking about, and who is not biassed in favour of the liberals, does not accuse his Government either of violence or of sinister designs; but he does charge the *personnel* of the *Curia*, the directing forces of certain religious orders, and the representatives of political reaction in France, with mis-managing French catholic affairs, and sacrificing the vital interests of the church to their own political aims and methods. Among those methods, he makes a special reference to 'delation', which I have already branded as perhaps the greatest scourge among the French clergy, and the gravest blot in the present ecclesiastical system.[2]

On one point only do I venture to dissent from the opinions of 'A French Catholic'; not in his facts, but in his forecast. He thinks the religious orders will carry everything before them, and possess all that remains of French catholicism. I believe the orders may, and will, give a great deal of trouble, both to moderate French catholics and to the Government; but the same causes which have produced and are producing defections from the ministry, and a diminution of its numbers, will produce similar results in the recruiting of the religious orders. Education, in the long run, must tell. It is the key to the

[1] *The Times*, February 28, and March 2, 1907.

[2] Chapter X, section 9, p. 262.

whole position. The liberals possessed themselves of this key about twenty years ago. The results are that the Pope cannot stir up a rebellion in the republic, as he could have done in the second empire, and the numbers of clergy are falling off. In like manner, as I think, the numbers of the *Congrégation* will decline, though the papacy is likely to depend more and more upon the declining religious orders, until it ceases to have any intellectual or political influence in a progressive world.

There is one other matter outstanding in the quarrel between France and the Vatican, and it is worth considering. The papacy is, among other things, a diplomatic organization. Its chief prizes have hitherto gone very largely to diplomatists. The Pope sends out his nuncios, as other sovereigns send out their ambassadors. They claim all the rights and immunities of ambassadors; but they also claim, and exercise, functions which would not be tolerated for a day in other diplomatic agents. Not so long ago, a British ambassador had to leave Washington for expressing an opinion about American party politics. But what should we think or do if, let us say, the German ambassador in London manipulated the War Office or the Admiralty, and practically managed all the high appointments. That is what the Papal nuncio did in Paris, in the Department of Public Worship, and he intrigued in various other departments of the public service. Under the pretence and cover of diplomacy, he meddled, on behalf of the papacy, with French subjects and the internal concerns of France. When relations were broken off, and there was no longer a nunciature, an agent of the papacy still remained in Paris, and the proceedings of this unrecognized nuncio went on as usual. That is the case of Monsignor Montagnini, about whose papers the Vatican is making such an outcry. Neither he nor his documents had any rights, nor any official position, nor any immunity by diplomatic usage. He was in the position of an ambassador who refused to go after the rupture of relations and the declaration of war. An ordinary ambassador in such a case would be liable to the usual treatment of a spy. It is, surely, not exces-

sive that Monsignor Montagnini should be conducted to the frontier, and that documents which have no right to exist should be seized by the Government of a country whose territory and hospitality have been violated. It remains to be seen what the documents may reveal. From the denials and the evident anxiety of the Vatican, it is probable that they contain some damaging exposures.

BIBLIOGRAPHICAL

In drawing up the following list, I have not proposed to give a bibliography of French historians or of French literature.

I mention a few general historians of France, who may give pleasure to those who have not read them, and I wish to draw particular attention to the admirable *Histoire de France*, edited by M. Lavisse, which is now almost finished.

I have not given authorities for the matters treated before the eighteenth century, as my earlier chapters are only preludes to the main subject of the essay. In the eighteenth century itself, I have put aside all those delightful *Mémoires* and *Correspondances*, which are indispensable for really understanding the history, and which are the most delightful reading in the world, especially the volumes of *Correspondance* in M. Moland's monumental thick-paper edition of Voltaire.

I have kept studiously away from the interminable Napoleonic literature which is so dangerous to enter, and so difficult to leave. I have mentioned only one Napoleonic book, the brilliant essay by Prince Napoleon, *Napoléon et ses détracteurs*. I don't accept his presentation of Napoleon unreservedly, but his exposure of Taine's methods should certainly be read. The Life of Napoleon still remains to be written. In English, we have some reliable accounts of him, but no biography that is readable, except Lord Rosebery's fascinating fragment.

In the bibliography, then, I have aimed solely at giving a list of books which may serve to illustrate the later portion of my essay, especially with reference to ecclesiastical affairs and personages.

My readers will see how largely I am indebted to

M. Debidour's two volumes, *L'Histoire des Rapports de l'Église et de l'État en France de* 1789 *à* 1870 and *L'Église catholique et l'État sous la Troisième République* (1870–1889). I look forward with pleasure to his promised third volume, which is to continue the subject to the Separation. I am only sorry the volume was not available for my essay. I have quoted M. Debidour so frequently for several reasons, which seem to me good. In the first place, his volumes are a strong, clear, impartial presentation of the whole period from 1789 to 1889, based on an almost exhaustive reading. Secondly, by confining my quotations rigorously to M. Debidour, I avoided a danger and a difficulty which are both obvious in the case of a writer who was strictly limited by considerations of space. Thirdly, by so limiting myself I trust that I have served the convenience of my readers. If they wish to test me, they have only to consult M. Debidour; and if they desire to explore farther, they cannot enter the wide field of French history under a sounder or a more learned guide.

In conclusion, I venture to borrow once more from M. Debidour, by quoting the end of the Preface to his earlier volume. 'J'ai dit la vérité, sans réticence, et sans faiblesse. S'il y a dans cet ouvrage des inexactitudes (et je n'ose pas croire qu'il en soit exempt) elles sont involontaires, et je serai heureux qu'on me les signale. On pourra contester ma sagacité; mais personne, je l'espère, ne doutera de ma sincérité.'

LIST OF BOOKS

'Histoire de France': Michelet.
'Histoire de France': Guizot. 5 vols., 4to, 1877.
'Histoire de France': Henri Martin.
'Histoire de France': Lavisse.
'History of France': Dean Kitchin.
'Œuvres': De Tocqueville.
'Histoire du Règne de Louis XVI': Droz.
'Travels in France': Arthur Young.

'La France et le Grand Schisme': N. Valois.
'Les Origines de la France Contemporaine': Taine.
'Le Cardinal de Bernis': F. Masson.
'Talleyrand': *Mémoires.* 5 vols.
'Talleyrand, évêque d'Autun': Lacombe.
'Souvenirs Intimes sur M. de Talleyrand': Pichot.
'M. de Talleyrand': Sainte-Beuve.
'Essai sur Talleyrand': Lytton Bulwer.
'Talleyrand': McCabe.
'Correspondance de Talleyrand avec Louis XVIII.'
'L'Esprit Révolutionnaire avant la Révolution': Rocquain.
'L'État de la France au 18 Brumaire:' Rocquain.
'La Société Française pendant le Consulat': Stenger.
'Discours et Opinions': Mirabeau.
'Révolution': 'Consulat': 'Empire': Thiers.
'Histoire de la Révolution Française': Michelet.
'Histoire du Pape Pie VII': Artaud.
'Mémoires': Consalvi.
'Mémoires': Pacca.
'Recollections of the Last Four Popes': Wiseman.
'Le Pape et l'Empereur': Welschinger.
'Le Concordat': Le Cardinal Mathieu.
'L'Ancien Régime en Lorraine': Le Cardinal Mathieu.
'Histoire de la Constitution Civile du Clergé': Sciout.
'Répertoire Biographique de l'Épiscopat Constitutionnel': 1791-1802. Pisani.
'Les Quatre Concordats': De Pradt.
'Essai Historique sur les Libertés de l'Église Gallicane': Grégoire.
'L'Église et la Révolution': E. de Pressensé.
'La Révolution': Quinet.
'Du Pape': J. de Maistre.
'Œuvres': De Lamennais.
'Œuvres': Paul Louis Courier.
'Œuvres': Béranger.
'Les Jésuites': Génin.
'Ou l'Église ou l'État': Génin.
'L'Expulsion des Jésuites': Martin.
'Le Cléricalisme': Depasse.
'Le Cléricalisme': Paul Bert.
'La Morale des Jésuites': Paul Bert.
'Discours': Paul Bert.
'Lettres Provinciales': Pascal.
'Discours': Portalis.
'Mémoires': Montlosier.
'La Congrégation': Grandmaison.
'La Congrégation': Brisson.

'Association et Congrégation': Waldeck-Rousseau.
'Histoire du Second Empire': De la Gorce.
'L'Empire Libéral': Ollivier.
'L'Église et l'État au Concile du Vatican': Ollivier.
'True History of the Vatican Council': Manning.
'The Pope and the Council': Janus.
'La Papauté': Döllinger.
'Letters on Vatican Decrees': Döllinger.
'Chapters in European History': Döllinger.
'Le Secret de l'Empereur': Thouvenel.
'Le Vatican': Goyau.
'Letter to the Duke of Norfolk': Newman.
'Life of Cardinal Manning': Purcell.
'Napoléon III': Blot.
'Souvenirs du Second Empire': De Cassagnac.
'Mémoires du Second Empire': Maupas.
'Jeunesse de Napoléon III': Stéfane-Pol.
'Œuvres': Napoleon III.
'Dupanloup': Lagrange.
'Victor Duruy': Lavisse.
'Notes et Souvenirs': Duruy.
'Montalembert': De Meaux.
'Monsignor Freppel': Ricard.
'Histoire du Cardinal Pie': Baunard.
'Histoire de la France Contemporaine': Hanotaux
'Le Gouvernement de M. Thiers': J. Simon.
'M. Thiers': De Mazade.
'Gambetta': Depasse.
'Le Ministère Gambetta': J. Reinach.
'Discours': Jules Ferry.
'Joachim Pecci': Henri des Houx.
'Souvenirs d'un Journaliste': Henri des Houx.
'Guerre au Papisme': Henri des Houx.
'Rome': Zola.
'Léon XIII d'après ses Encycliques': D'Arros.
'Autour de la Politique de Léon XIII': Boudin.
'Léon XIII Intime': Narfou.
'Lettres Encycliques de Léon XIII.'
'Lettres Encycliques de Pie IX, Grégoire XVI, Pie VII, Pie VI.'
'Lourdes et ses Tenanciers': Bonnefon.
'L'Arsenal de la Dévotion': Paul Parfait.
'Le Dossier des Pèlerinages': Paul Parfait.
'La Foire au Réliques': Paul Parfait.
'L'Affaire Dreyfus': J. Reinach.
'The Dreyfus Case': Conybeare.
'L'Église de France sous la Troisième République': Lecannet.

'La France Noire:' Desachy.
'L'Église et la République': Anatole France.
'Supplique d'un Groupe de Catholiques Français au Pape Pie X': Anon.
'Les Leçons de la Défaite': Abbé de Bonnefoy.
'Pourquoi les Catholiques ont perdu la Bataille': Abbé Naudet.
'Catholicisme et Critique': Desjardins.
'La Réforme Intellectuelle du Clergé': Saintyves.
'Les Catholiques': Peccadut.
'Modern Rome in Modern England': Philip Sidney.
'La France': J. C. Bodley.
'La Séparation de l'Église et de l'État en 1794': Champion.
'La France d'après les Cahiers de 1789': Champion.
'L'Église et l'État au XVIII^e Siècle': Crousaz-Crétet.
'L'Éducation Morale et Civique avant et pendant la Révolution': Abbé Sicard.
'Church of France': Jervis. 2 vols.
'Gallican Church and Revolution': Jervis. 1 vol.
'Disestablishment in France': Sabatier.

CONTENTS

CHAP.		PAGE
	INTRODUCTORY	1
I.	THE ORIGINS OF GALLICANISM	9
	1. Philip the Fair and Boniface	9
	2. The Schism and the Councils	15
	3. The Pragmatic of Bourges	18
	4. The Concordat of Bologna	19
II.	THE SIXTEENTH CENTURY	22
	1. The Reformation	23
	2. The Renaissance	24
	3. The Council of Trent	25
	4. The Society of Jesus	27
	5. The New Romanism	32
III.	GALLICANISM	36
	1. The Four Articles	36
	2. The Gallican Church of the Eighteenth Century	41
IV.	THE REVOLUTION	59
	1. The Reformation of the Old Régime	59
	2. *La Constitution Civile du Clergé*	78
	3. The Counter-Revolution	93
	4. Talleyrand	108
V.	THE CONCORDAT OF 1802	115
	1. The Constructive Work of the Revolution	115
	2. Napoleon and Italy	120
	3. The Negotiation of the Concordat	125
	4. Pius the Seventh	139
VI.	THE RESTORATION	144
VII.	LOUIS PHILIPPE	158
VIII.	THE SECOND REPUBLIC	167
IX.	THE SECOND EMPIRE	181

CHAP.		PAGE
X.	The Third Republic	201
	1. National Defence	201
	2. Thiers and the Commune	205
	3. MacMahon	218
	4. The Republic: Education; the Religious Orders	232
	5. Pius the Ninth and Leo the Thirteenth	242
	6. Dreyfus: Nationalism	247
	7. The Republican Rally	250
	8. Separation	258
	9. Conclusion	259
Appendix.	Loi du 9 Décembre 1905	269
Index		285

INTRODUCTORY

THE RELATIONS OF THE STATE AND THE CHURCH IN FRANCE FROM 1300–1907

THE subject of this volume is the relation between the State and the church in France. The matters which we are to consider have occupied about six hundred years of stirring and eventful history. They begin with the reign of Philip the Fourth, and they end, so far as the present volume is concerned, with the official Separation between the Roman See and the French republic. The history of their connexion brings before us the two most interesting and influential factors in the evolution of mediaeval and modern Europe. Without the romantic splendours of the papacy, European history would lose much of its picturesqueness, many of its most striking figures, a great deal of its worst crime, and the larger part of its comedy. The history of France is the most attractive and chivalrous, and in some ways the most important, since the Hellenistic civilization and the Roman empire disappeared. We may remember, too, with pride and pleasure, how closely for many centuries French history was interwoven with our own. It was doubtful for several generations whether England was to be a province in some Angevin or Norman empire, or whether English kings were to rule in Paris. Our early wars with France were mere family quarrels among branches of the same ruling House. French was the official tongue of Court and Government. Such architecture and civilization as we had were French in form and spirit. Many of the chief actors in our history would have been puzzled to say if they were descended from Scandinavians who had come here through what is now modern Germany, or from Scandinavians who had been settled and civilized in France. We have, then, more than the interest of

strangers and aliens in the events of French history. Without presuming to interfere as partizans in matters of French politics, we may profess the liveliest interest and sympathy in all that concerns the French people, who are not only our kinsmen but our closest friends.

But no question in which the papacy is involved can be a domestic matter, or be the concern of any single government. The Roman *Curia* not only admits, it asserts, that it is an international organization. Its procedure towards any one nation must be taken as a precedent for its dealing with them all. Every nation, therefore, is interested in the present quarrel between the papacy and the French republic, and has not only the right but the duty to understand it. That quarrel is not so much between the State and the church, or between the French government and the French episcopate, as between the French nation and the Court of Rome. Its causes go far back into French history, and its course has been determined by the logical and consistent evolution of the papacy.

If we would understand the existing position, we must begin by a brief examination of the past. French Christianity goes back to the times when Gaul was a Roman province; but all the evidence shows that the earliest Christians were Hellenistic Jews, and that the new teaching came directly from the east. The name of Irenaeus illustrates the ecclesiastical history of Gaul; the martyrs of Vienne and Lyons prove the traditional valour of its inhabitants. Very little, however, is known definitely of early Christianity, either in Gaul or elsewhere. That it came from Syria, and began as a Jewish schism, is the traditional account, and possibly it is true. That it absorbed a great deal of Hellenistic thought and Italian superstition is demonstrable. That it had various rivals, also of Asiatic origin, which ran it very closely, is now admitted. But Christianity, in Gaul and Britain, is mingled inextricably with the earlier Celtic religions; as it is everywhere with survivals of prehistoric and naturalistic beliefs. Little, perhaps, can now be added to the history of what is called the church, that is to the political and social aspects

of the Christian organizations; but the evolution of Christian theology, or the real history of the Christian origins, still remains for some future enquirer to explore. That which the French did not know about their ecclesiastical history was imagined for them by mediaeval chroniclers.

Lazarus and his sisters came to Marseilles, and he ended his life in Gaul, if we may use that phrase of a man whose lives and deaths are so unlike those of other people. Denys the Areopagite wandered to Paris, and became the national Saint. These legends, however, and others like them, though so familiar to mediaeval ecclesiastics, were unknown to the age of Ausonius and Sidonius Apollinaris, when some vestiges of scholarship still remained, and men were nearer to the supposed beginnings of Christianity. As England indulged its pious vanity with Joseph of Arimathaea, we need not grudge Lazarus to France and to the see of Autun, where he became the predecessor of M. de Talleyrand.

French ecclesiastical history really begins in those dark ages which followed the break up of the western empire. In those dim and terrible centuries, a church was built up in the ruined province of Gaul by missionary bishops and colonizing monks. The former inherited and preserved whatever was left of Roman organization. The latter began the re-settlement and cultivation of the wasted country. To no single body of men, perhaps, does early Europe owe more than to the Benedictines. Under the Roman empire, the church had been a civil institution: under the Barbarians, it became a feudal and military organization. Bishops were not only magistrates but warriors. The sword and the crozier were in the same hand: mitres and casques were on the same head. Church towers were beacons, and conventual buildings were fortresses. The new society was military. Its chiefs were conquerors. Its people were soldiers. The nation was the army. Organization was feudal: that is, it was based on military service, on the tenure and defence of land. It was under these conditions that the Gallican church emerged out of the disorders which lasted from the fifth century to

the ninth; and the character which was then stamped on its form and fabric endured long after the spirit of feudalism was dead: it lasted, indeed, with increasing abuses and diminished usefulness, until the hour of retribution in 1789. The mediaeval church was literally the church militant, and that aspect of it must never be forgotten by those who wish to understand the evolution of the papacy.

Though the bishopric of Rome was influential and strong, even towards the end of the second century, the papacy, as we understand it now, did not exist in the time of the Roman emperors. The attempted claims of the papacy were repudiated, so far as they were known, by all the Fathers. The Bishop of Rome was one among several great patriarchs: as he was bishop of the imperial metropolis, he was the leading one. It was in the decadence of the empire, when the Barbarians were threatening Rome itself, that Leo the First and his *entourage* formulated the prerogatives of Peter and the claim to his succession. When the western empire fell, the Bishop of Rome, in default of other authorities, took over the administration of the City and its environs: that proceeding was entirely normal, and in accordance with the functions of bishops under the empire. At the same time, he acknowledged, as was right, the jurisdiction of the emperors in Constantinople; he ruled as a delegate, and not as a sovereign. As late as Gregory the First, the patriarchal jurisdiction of the Roman bishops was asserted, and the title of universal bishop was repudiated. In reproving the ambitions of his rival at Constantinople, Gregory condemned the usurpations of his successors in Rome. But everything was working for the invention of a papacy, especially in the west. The Barbarian invaders were settling down as military occupiers of their conquests. They were envying and copying what remained of the imperial organization, of which the bishops were the only surviving representatives. Moreover, missionary enterprises were being pushed among the new peoples. The missionaries, in many cases, were sent from Rome; and in all cases, they had recourse to the Roman patriarch for advice and help. The new and struggling

churches depended largely on the more settled church of Rome. The missionaries, also, who were often monks, relied more on the Pope than on the local bishops. Disputes between monasteries and bishops, or between bishops and their metropolitans, were referred to the patriarchal See; as were differences between ecclesiastics and the secular authorities, or between one ruler and another. Thus there grew up a habit of appeal to Rome; and the courtesies of one age were hardened into the customs of another, which were enforced by law, and fortified by spurious documents. The genuine decretals and letters of the Roman bishops were increased by forgeries, which magnified the papal jurisdiction; and, out of all these circumstances and elements, the mediaeval papacy emerged. The unity of the nations and the authority of Rome were developed by the resuscitation of the imperial office. At first, the Popes were subjects of the Frankish emperors, as they had been of the genuine Caesars. By degrees, they became in theory their superiors. The real gifts of Pepin and Charlemagne inspired the fable of Constantine's donation. The arms of the Normans and the legacy of the Countess Matilda increased the Pope's dominions: and thus the States of the Church came into being, and the theory of temporal power assumed a concrete form. Neither the donation of Constantine nor the Petrine claims will bear a critical investigation; but these legends had a momentous influence in the childhood of the mediaeval world.

The victories of the papacy, however, were not won without strenuous fighting. Gregory the Seventh, in the eleventh century, conceived and initiated the papal monarchy. He may be said to have feudalized the church: that is to say, he applied to the church the analogy of the feudal system. An ecclesiastical State was formed alongside, and even within, the secular State. Of that organization the Pope was head. He sent out his legates into all countries. He encouraged, and when he could enforced, appeals to Rome. He asserted rights of ecclesiastical taxation and patronage. The jurisdiction of the bishops was curtailed: the monks first, and then the friars, were exempted from episcopal

control and subjected only to the Pope. The monasteries became a papal army of occupation in every country; and the friars from the first were an international militia for the papacy. The secular clergy were withdrawn from the jurisdiction of the common law, and were subject only to the ecclesiastical courts; and the term 'clergy' was extended far beyond those who exercised ministerial functions, so as to include a large body of the population.

This ecclesiastical State, for it was nothing less, reached its culmination under Innocent the Third, who realized everything which Gregory the Seventh had planned. The papacy grew up under the shadow of the empire. Its evolution was only possible as a deduction from the imperial theory. As long as men acknowledged one civil over-lord, or one temporal head, who was the sole representative of human sovereignty, it was natural that they should accept the possibility of one spiritual chief, the centre and symbol of ecclesiastical unity. The civil power is really the cause of Roman catholic cohesion. Even in modern times, with all the divisions of existing Christendom, the uniformity of the Roman church has only been maintained, and that with difficulty, through the influence of the papal diplomacy on the various governments. That is why Rome clings so tenaciously to Concordats, which weigh so heavily on the national churches. That is also why Rome dreads such movements as Americanism, and detests even to hear of a free church in a free State. By undermining first, and then by overthrowing, the imperial supremacy, the Popes seemed to have won a final victory, and to be masters of the world; but their triumph carried with it, inevitably, the seeds of retribution and defeat. The mediaeval papacy of Innocent the Third fell to pieces in less than a century under Boniface the Eighth. There had been a premature Renaissance in the twelfth century, especially in France, and through the genius of Abelard. Scholasticism was assailed with wit, and with such scholarship as was attainable. Theology never quite recovered from that first and brilliant attack. Among Abelard's pupils was Arnold of Brescia, who carried the fire of his master into Italy, and

used it to revive Italian patriotism, and to attack the abuses of the papal government. The study of Roman law had also been revived at Padua; and, under that splendid fabric of jurisprudence, the notion of lay rights and lay society was restored to western Europe. Our modern nations were also taking form. Their monarchies were consolidating, at the expense of feudalism on one side, and at the expense of the papacy on another. In our own country, Henry the Second lost his battle against clerical privilege; and that abuse went on growing till the sixteenth century, when it became no longer tolerable. King John fell even lower, and made himself a vassal of the Holy See, accepting his crown from Innocent the Third, and subjecting his kingdom to a tribute.

But, when the monarchy revived, barriers were set up against the encroachments of the papacy, both in spiritual and temporal affairs. The same process went on in France. Indeed, the French kings were more strenuous than our own in resisting papal usurpations. Philip Augustus, in his contests with Innocent the Third, never sank to the degradation of King John. Saint Louis, in spite of his piety, never gave way to papal aggressions. Indeed, by virtue of his pious reputation, he made a better fight than many violent and lawless kings. He stood always on the firm ground of morality and justice, and so carried public opinion with him. The misfortune is that so few pious sovereigns can be trusted to oppose clerical manœuvres. Our own Henry the Third is a warning. Saint Louis, however, was as unbending as his grandson Philip the Fourth, the Fair. Under this great king, ecclesiastical matters came to a crisis; and, in many ways, his reign begins a new era. He resisted firmly the growing papal usurpations of taxation and patronage. The Popes not only claimed the right to tax national churches at their will, but they forbad churchmen to pay taxes to the civil government. Both claims, if allowed, would have dissolved civil society, and have made government impossible. Both claims, also, are a perfectly logical deduction from the premisses of Gregory the Seventh and Innocent the Third. The papal claims are incompatible

with any rival or independent sovereignty; and Innocent was only carrying his theories to their necessary conclusion when he declared some sovereigns his vassals and all his subjects. The theories of Innocent, however, could no longer be realized. The laity had become educated. The civil law had become a strong and organized profession. The servants of Philip the Fair could meet the ecclesiastics on their own ground, and beat them. It was a battle of Bulls and Pragmatics, as between the Pope and the King. It was also a battle of the laity for a voice and position in matters of government. The laity won; and the State, as we conceive of it now, began to be revived after its long burial under the ruins of the Roman empire. Philip the Fourth and his ministers have thus a great importance in the evolution of modern society. As an immediate consequence of the strife, Boniface the Eighth closed his reign in ignominy and violence: 'He went out like a dog.' His successor was removed to Avignon. For many years, the Popes were instruments of the French kings; and when they were re-established in Rome, after the Great Schism, they were little more than Italian princes, intriguing with and against their neighbours for territory in the Peninsula. With Boniface the Eighth the mediaeval papacy ends, as with Philip the Fair the modern State begins. And these events must be the starting-point of our enquiry.

CHAPTER I

THE ORIGINS OF GALLICANISM

1. Philip the Fair and Boniface the Eighth.

Gallicanism was not, as is too often thought, an invention of Louis the Fourteenth, or of Bossuet; a courtier's theology, designed to match the new absolutism, a theological decoration added to the other splendours of Versailles. It is the embodiment and expression of that dislike, even among churchmen, for those ultramontane theories against which the French nation has always protested throughout the long course of its history. Gallicanism in the church is the counterpart of nationalism or patriotism in the State; and, as was natural, it became more definite when the French monarchy and people began to realize their national aspirations. As the theory of the empire denied all complete sovereignty, except that of the emperor himself, so the papal theory sterilizes all initiative and stifles all genuine vitality in a national church. The Popes themselves shattered the mediaeval empire, so far as it had ever been a reality; and they aimed at the domination of Christendom, not only in spirituals, but in temporals, by reducing the European sovereigns to vassalage. Their aim was to mediatize the kings; but their policy reacted against themselves, by bringing the papacy into collision, both in practice and theory, with the expanding and centralizing monarchies of the twelfth century.

After a long period of friction, in other countries as well as in France, these inevitable differences reached their crisis at the end of the thirteenth century and the opening of the fourteenth. Even Louis the Ninth, with all his piety, was a firm upholder of the royal prerogative and the Gallican liberties. A Pragmatic Sanction of 1268 is attributed to him, which restrained the encroachments of

the papacy in matters of ecclesiastical property and appellate jurisdiction; both of which were impoverishing the church and the realm. Whether this document be genuine or spurious, there is no doubt as to the policy he maintained. The French clergy remembered well that they had once been free from these exactions, and they were bent on recovering their old freedom. The protagonists in the quarrel were Philip the Fourth and Boniface the Eighth. Both of them have been described in harsh and violent words by partizans of either side. Perhaps in both cases, the colouring has been too dark, and the atmosphere too lurid. As to Philip, his minister, William of Nogaret, wrote about him as follows:

'Our Lord the King is of that race of the sovereigns of France who have all of them, since the days of Pepin, been religious men, zealous champions of the faith, and vigorous defenders of Holy Mother Church. . . . He has always been, before, during, and after his marriage, chaste and humble, modest in look and speech. He never gets angry. He neither hates nor envies any one; and loves the whole world. He is full of kindliness and charity. He is pious, merciful, and is always just and truthful. He is no detractor. . . . He is handsome in features and charming in expression, of delightful manners to everybody, even to his enemies when they are with him.'[1] Another contemporary said of him, 'He is the handsomest man in the world, but he can only stare at people without talking. He is neither a human being nor even a beast, but only a statue.'[2]

It was a common accusation that he was in the hands of his advisers, who led him blindly; that he was only a majestic figure-head. From all this, we may infer that he was not a violent or an impulsive ruler: but, at any rate, he chose his ministers himself; choosing wisely, since his conflict was with the clergy, lawyers, and self-made men, so that law and reason was on his side and he carried the middle classes with him. Benedict Gaëtani, afterwards Boniface the Eighth, was born at Anagni, a place dominated

[1] Lavisse, *Histoire de France*, tome iii. 2, p. 120. [2] Ibid. p. 121.

by his family. He was a nephew of Alexander the Fourth, brought up in the *Curia*, beneficed, employed in papal diplomacy, made rich by fees and salaries. Out of his emoluments, he acquired a large estate among the Volscian hills. He has been accused of every crime which has been attributed even to a Pope. His unbelief and his immorality, though not proven, are not incredible; but he was certainly ambitious, probably simoniacal, and beyond any doubt violent in speech and temper. At the height of his power, he seems to have lost all modesty and balance. He was 'God-intoxicated'; not in the sense of Spinoza, but of Caligula. He became Pope in 1294, after the sinister episode of Celestine the Fifth's election and resignation. Now the Popes owed much to the French kings, especially in their Italian policy; and the sovereigns of the House of Capet had earned their precedence as Eldest Sons of the Church; but the papal theory was fragile, and might burst easily if inflated. Boniface inflated it beyond the bursting point, so that Gallicanism ran out and then solidified.

The first quarrel was over money. The successors of Innocent the Third had claimed a right to tax the national clergies, and to usurp patronage. Boniface went farther, and asserted that the clergy had no power to grant supplies to their sovereigns without leave of the Pope. The results of such a claim need not be set forth. They are self-evident; and they were all the more serious in times when the temporalities of ecclesiastics were an indispensable part of the military system. This claim was a natural extension of the older papal demand about Investitures. In 1294 Philip was at war with England, and his clergy voted him a tenth, as they also did in 1296. The Cistercians, being the most wealthy order, complained the most; and Boniface issued the Bull *Clericis Laicos*, forbidding all secular authorities to require or receive any extra subsidies from the clergy, and forbidding the clergy to pay them without the Pope's approval. Philip's answer was to forbid the export of money, which impoverished the Roman Court. The French clergy, indeed, feared a worse result; for the arch-bishop of Rheims and his suffragans wrote to the Pope,

saying they were bound, both by the tenure of their fiefs and by their oaths, to aid in defending the monarchy. They added that the king threatened to withdraw his protection, without which neither their lives nor their property would be safe, and that the policy of Boniface would ruin the church.[1] We may remember that Edward the First, equally affected by the Bull, resorted to the same weapons of defence, and that his threat to out-law his clergy produced the supplies he wanted. As the Pope was not supported by the national clergies, he was forced to yield, and he explained away his previous utterance by the Encyclical *Ineffabilis Amor.*

The most interesting and significant part of the whole controversy is the assertion of lay rights which it produced. There is a document in the records of the French Exchequer which says 'Before there were any clergy, the Kings of France had the guardianship of their kingdom, and the right to legislate for its security. . . . Holy Mother Church, the Bride of Christ, is not made up solely of clerics, the laity also are members of her. It is not only for the clergy that Christ was raised. . . . The clergy have as much interest as laymen in the public safety; because, if foreigners conquer us, they will be equally spoiled and harmed.'[2] And then the writer goes on to describe the clergy as 'fattened, gorged and swelled by the generosity of princes, whom they will not aid in their necessities.' (*incrassati, impinguati, dilatati*). Even Boniface admits unconsciously the strength and antiquity of lay feeling against the clergy. The first words of his Bull are taken from Gratian, where it is written *Clericis laicos infestos oppido tradit antiquitas.* The grievance, then, was old. It is the ability and resolution to deal with it which distinguish the fourteenth century. The whole episcopate of France, assembled in Paris, drew up a firmer remonstrance to the Pope; and this was followed by a third Bull, *Etsi de Statu,* which withdrew the pretensions of the *Clericis Laicos.* The first contest ended in the king's favour; and the renewed friendship was ratified by the canonization of Louis the Ninth, Philip's grandfather.

[1] Lavisse, iii. 2, p. 132. [2] Ibid. p. 134.

In 1300 Boniface proclaimed the first jubilee, though certain old men of Rome, having had their hazy memories cleared, related that they had heard, in their extreme youth, vague rumours and echoes of a jubilee in 1200, as to which there is no extant evidence. Thus the dotage of one century, inspired by the first childhood of another, established a precedent for the advantage of the Roman clergy. Boniface filled his treasury, and lost his head, through the celebrations of 1300. His next assertions of papal absolutism surpassed all previous utterances, and were not equalled again till the definitions of Pius the Ninth. In the Bull *Ausculta fili*, he said the papacy was set by God above all kings and kingdoms 'to build, to plant, to pull down, and to destroy'. He asserted his right 'to use arms against the King of France, the bow and the quiver'. For the two powers had quarrelled again. To these vapourings the king sent a dignified answer, saying that his ancestors, who had built up the realm of France, after winning it from the barbarians, owed their sovereignty to God and not to the Pope.[1] Boniface replied by the notorious Bull *Unam Sanctam*, which formulates the highest claims of the papacy to dominate mankind in temporals as well as spirituals. The Pope says, in brief, that the church is a body with one head, not a monster with two; that its chief is Christ's Vicar, the successor of Peter; that there are two swords, the spiritual and temporal, both belonging to the church. The spiritual sword is in the Pope's hand: the temporal, in the power of kings; but they can only use it for the church, according to the will and convenience of the priesthood. Boniface, in conclusion, set forth a pretension, which he issued as an article of belief. 'We declare, assert, define and pronounce it necessary for the salvation of every human being that he must yield obedience to the Roman Pontiff.' After some hesitation, since Philip was disheartened by the battle of Courtrai (July 11, 1302), William of Nogaret was allowed to attempt his plan of capturing the Pope, by means of his discontented vassals in the Romagna, before whom the greatest pontiffs

[1] Lavisse, iii. 2, p. 150.

were generally impotent, even while they were humiliating emperors and kings. Boniface was surprised and arrested at Anagni on September 7, 1303, and he died on October 11.

The details of this event have been exaggerated, and Dante has immortalized the exaggeration. A contemporary says, 'The Lord Pope was neither bound, nor put in irons, nor driven from the palace, but Nogaret kept him guarded in his rooms with a numerous company.'[1] Personal outrage seems to have amounted to a blow from Colonna's glove, which was presumably a formal act renouncing fealty. And thus the contest ended as between Philip and Boniface. Renan says the extraordinary thing in this adventure is that its results were permanent; that the papacy fell under this blow, and actually made reparation to the aggressor. 'Such a thing has only happened once; and the victory of Philip the Fair is an isolated fact in history.' We might, perhaps, urge that the policy of Henry the Eighth has been permanent during nearly four centuries, and that his blow was more staggering than the assault of Philip. Nevertheless, that mild and quiet sovereign obtained a solid victory where greater men, like Barbarossa, Frederic the Second, Henry the Second of England, had failed completely. 'Obedience to the king in matters political was henceforth absolute in the church of France, as it became later in England. And everything seems to show that if urged the Gallican church would have been obedient to Philip the Fair, even as the Anglican church obeyed Henry the Eighth, even to the point of schism.'[2]

The relations between Philip the Fourth and the papacy establish the antiquity and nature of Gallicanism, and so it has been worth while to examine them in detail. They are the real starting-point of our enquiry. The victory of Philip, as we have said, brought the middle ages to a close, in the sense that it displayed the failure of the mediaeval papacy; and that failure was a swift and just retribution upon the destroyers of the imperial polity. The political unity of Europe, so far as it had existed, was no longer

[1] Lavisse, iii. 2, p. 165. [2] Ibid. p. 240.

practicable; but the ecclesiastical unity of Europe, as it had been conceived through the empire, was equally impossible in a world of vigorous and conflicting nations. The attempt to realize it led only to those frictions and separations which are the inevitable consequences of a false position. The Popes forgot that they could not have the benefits without the realities of the Holy Roman Empire. That empire was an attempt to consolidate and unite Europe under a lay, though a theocratic, sovereignty. The Popes aimed at capturing that sovereignty, and making it clerical. By straining their jurisdiction, and mingling the two spheres of politics and religion, they provoked a reaction, in which the mediaeval papacy was wrecked. The church, as Boniface said, is not a monster, and it has only one Head; but the error of the papacy has been that it has entangled the church so inextricably in politics that every State, which accepted the papal jurisdiction, has become of necessity a monster with two heads; and history is a monotonous record of the strife between them. It may also be recorded here, as a coincidence, that Philip the Fair was not only the first sovereign who resisted the Pope successfully, in the cause of the growing nations; but he was the first French king who assembled the States General. By so doing, he associated the nation with his policy; and he unites the monarchical resistance to the papacy with that popular resistance, which only germinated at the Revolution, but which is the deciding factor of our own days in the long battle with Romanism. That new papacy, which has been evolved since the restoration of Pius the Seventh and the revival of the Jesuits, is in conflict with a new social and political order, which has been produced by the Revolution. Education has now disseminated the ideals of 1789, and they are consolidated in the minds and hearts of a large and intelligent population. Against this bulwark the old papal weapons are obsolete and harmless.

2. The Schism and the Councils.

The Bull *Unam Sanctam* led, not to a consolidation of the papal monarchy, but to a collapse of the mediaeval papacy;

which, over and above this check, had to submit, more than any other sovereignty, to a series of attempts at conciliar or parliamentary control. After Boniface the Eighth, there followed the 'captivity' at Avignon, where the Popes lived in splendour, though in dependence on the French kings. The obvious effects of that dependence were most compromising to the papal authority in other nations. France underwent the invasions and disasters inflicted on her by Edward the Third. Thanks to the wisdom of Charles the Fifth, she regained her strength, and endured the strain better than her invader. We should not delay over Charles the Fifth, though he is the most interesting and perhaps the most remarkable statesman of the fourteenth century. Weak and even defective in body, of necessity no soldier, he held his position in an age of violence, and won more by policy than his predecessors and contemporaries had ever gained by war. His great palace of Saint Paul, with its baths, and library, and chapel, and menagerie, and gardens, was the admiration and wonder of his time. He was not less devout than Saint Louis, and was even more zealous in resisting papal breaches of the law. His resistance, and his whole policy, were founded on a reverence for law, and a hatred of tyranny, which is expressed finely and clearly in the remarkable *Songe du Verger*. It would have been well for the French monarchy and nation if all the successors of King Charles had been imbued with his principles of justice and moderation. The struggle against papal absolutism and clerical preponderance would have been waged with more success if the laity had always had leaders with the high principles, the tactful policy, and the unassailable character of Charles the Fifth (1360–1380). Those who know little more of French history than the names of Crécy and Poitiers, as the events connected with those names are presented by English writers, cannot realize how Charles restored his country, in spite of battles lost, while England was being drained of blood and money; but France was raised up only to fall again, through faction and the weakness of Charles the Sixth, which alone made possible the unjustifiable campaigns and the deceptive conquests of

Henry the Fifth. The reign of Charles the Sixth has been described as 'the tomb of good laws and public morality'.[1]

Urban the Fifth returned to Rome in 1367, but left again in 1370. Seven years later, Gregory the Eleventh also went to Rome, and died the next year. Then came the Schism, which produced two rival Popes, and finally three. The various Popes and cardinals had their councils, and no one could say where legitimate ecclesiastical authority was to be found. At length, after difficulties and delays, a representative council met at Constance in 1414. It decided that the authority of the church in council was superior to Popes. It proved that superiority by deposing all three Popes, and electing Martin the Fifth. It enacted that councils should meet frequently, to regulate the church. In fact, it tried to make the papacy constitutional, and to establish a parliament of bishops; but the matters to be dealt with were too intricate, the various interests were too conflicting, the episcopate was too scattered and divisible, for such a scheme to work; and the papal authority, by infinite patience and unceasing diplomacy, managed to baffle the opposition, and to reconstruct the church as an absolute monarchy, at the disposal of the Roman Court, instead of as a constitutional federation under the national episcopates. It played kings against ecclesiastics, one episcopate against another, and the regular clergy against them all. It knew how to divide, and reign. The Popes feared councils for obvious reasons, and hated reform because its chief victim would be the *Curia*; and the successors of Martin the Fifth impeded both, until the storm fell on Leo the Tenth and Clement the Seventh.

At Constance, besides dealing with the papacy, they burnt Huss and Jerome of Prague. That mistaken policy aggravated the evils it was meant to cure, and produced the religious wars in Bohemia; and that unity of the faith, such as it was, which the mediaeval churches present to superficial historians, was never again restored over the whole of western Europe. Even that ecclesiastical unity,

[1] Sully, *Mémoires*.

which was revived under Martin the Fifth, was maintained only for a century.

3. The Pragmatic of Bourges.

The Schism, the rival Popes and councils, the growing abuses in the church, and the hopelessness of reform, led to much free speaking. In England, we had had Wyclif; and his teachings inspired the reforming leaders in Bohemia. France produced Gerson, and the various theologians of the University who did so much to formulate those Gallican theories which corresponded to the political evolution of the French State. One of these doctors wrote to Charles the Seventh, 'You are not a mere lay person, but an ecclesiastical prelate, and the first in your kingdom. After the Pope, you are the right arm of the church';[1] meaning obviously, the confederation of churches, not the national church of France. In fact Charles administered his church without consulting the papacy, and his great influence was not confined within his own kingdom. The Council of Basle prayed him to carry out its decrees in his realm. For that purpose he called an assembly of his bishops at Bourges, in 1438; and they drew up an assertion of Gallican rights which was adopted by the king in his Pragmatic Sanction.

The Pragmatic Sanction was a joint act of the French church, speaking through its lawful authorities, and of the Crown as representing the supreme will of the nation.[2] It begins with protesting against the abuses committed or tolerated by the Holy See. It laments the spoiling of the French church, the usurpation of patronage, the papal reservations, the jobberies and simonies, the non-residence, and other evils which were habitual in France, and elsewhere. Then it asserts the superiority of councils to Popes in all matters of doctrine and discipline. It ordains the meeting of a general council every ten years. It enumerates various excesses and scandals, which must be reformed. It resumed a great deal of patronage which the Popes had created or usurped, and it restrained the flow of taxation

[1] Lavisse, iv. 2, p. 261. [2] Ibid. p. 267.

and appeals to Rome. It restored the election of bishops to their chapters, and of abbots to their communities. No papal Bulls might circulate in France without the king's permission. And, on these lines, the Gallican church was administered until the reign of Francis the First. The papacy never ceased objecting to the Pragmatic of Bourges, and intriguing against the decrees of Constance. Louis the Eleventh, after his manner, made use of the Pragmatic by alternately withdrawing and modifying it, always with some advantage to himself. Under Charles the Eighth and Louis the Twelfth it was restored to its original terms, at the petition of the French clergy. It was attacked strenuously by the papal council of the Lateran, which succeeded the episcopal council of Pisa; and, as Francis the First wanted money, and papal support for his designs in Italy, he made a bargain with the Pope.

4. The Concordat of Bologna.

That bargain is dignified as a Concordat, and is named from Bologna, where it was arranged. It was, in reality, a deal for patronage, that is for the market value of patronage. The king sacrificed the rights of his clergy, and gained in return many solid advantages for himself. Without appearing to diminish the prerogatives of his crown, he admitted a very dangerous principle, which the papacy has never ceased to utilize and stretch. In exchange for that advantage, and for certain material benefits, the Pope did not hesitate to bind the French clergy to the crown, and to prejudice the interests of the Gallican church. The Pragmatic of Bourges, by upholding the supremacy of councils, by restraining papal abuses, and by restoring the power of election to the Chapters, had created a church that was comparatively free in relation both to the crown and the papacy. The Concordat of Bologna practically destroyed that freedom. It exacted that the king should nominate to all bishoprics, to most abbacies and priories, to all dignities of wealth and importance. Certain of the richest abbeys had obtained special Bulls,

no doubt well paid for, which guaranteed them the right of election, and these were excepted from the Concordat; though most of them were sacrificed afterwards by a special Bull. To the papacy, the king conceded the important and dominating right of institution to these great offices. The national clergy thus lost their ancient powers of election to the highest offices in their church. It was ordained that persons chosen by the king must be graduates; but again exceptions were made in favour of 'great personages', and of friars, and there was always a papal dispensation to sophisticate any irregularity. Smaller benefices were left to their natural patrons, though the Pope acquired powers of nominating to a large proportion of them, and he retained the nomination to benefices when the occupant died in Rome. He gave up the right to *expectatives*: the abuse which we dealt with by the Statute of Provisors. Ordinary appeals were to be heard in France; but the Pope still reserved all great causes to himself, and with them the proportionate fees and profits, with unlimited possibilities of interference and encroachment. Annates are not mentioned in the Concordat, as they were unpopular; but, by a subsequent Bull, the Pope quietly resumed them. The king, having need of papal assistance, allowed the usurpation, and gave up the article in the Pragmatic which had abolished them.[1] There was great opposition to the Concordat on the part of the clergy, of the University and of Parliament. The latter saw dangerous possibilities in the reservation of 'great causes' to the papal congregations; and it protested violently against the loss of elective rights. Parliament, indeed, ignored the Concordat for six years, and treated it as a dead letter. Its opposition was only ended by a *lit de justice* in 1527; but protests continued in the provincial assemblies right through the sixteenth century.

The king gained by this agreement the nomination to ten arch-bishoprics, eighty-two bishoprics, 527 abbeys, and an immense number of priories and canonries.[2] The Pope made a serious breach in the Pragmatic Sanction, and obtained

[1] Lavisse, vi, p. 254. [2] Ibid. p. 258.

a base for future operations. He also won a victory over the hated councils and those who favoured them. Not least, he was able to deal henceforth with a monarchical and aristocratic clergy, instead of with a free and constitutional body. In France itself, the effects were even more deplorable. The clergy were split in two. On one side, in all the great offices, including those of the religious houses, were royal nominees, usually absentees, performing their functions by deputy, piling up those moral and social abuses which accumulated until the Revolution. On the other side were the lesser clergy, out of all sympathy with their chiefs, hating, envying and despising them, full of grievances and of democratic longings. These latter found some vent in the wars of religion; but they smouldered on, suppressed, till the Revolution; and the parochial clergy had more influence in preparing that deliverance than has usually been realized. In its political effects, the Concordat of Bologna transformed the clergy into an Order, of which the chiefs were an aristocracy, with all those privileges and prejudices that produced their inevitable consequences in 1789 and the following years.

It is worth noting that Leo the Tenth, in the Lateran council, denounced the canons of Basle and Bourges. He reaffirmed 'the doctrine of Scripture, of the Popes, and of the constitution *Unam Sanctam*', that all human beings are subject to the Roman Pontiff. Finally, he cancelled the Pragmatic of Bourges 'in the plenitude of his apostolic authority', and also without informing the council of his previous arrangement with Francis the First. The Concordat, instead of appearing, as it really was, a sordid and commercial bargain, was made to do extra duty as a triumph and acknowledgement of the papal supremacy. It is by continual precedents of this nature that the Popes' authority has been constructed and extended.

CHAPTER II

THE SIXTEENTH CENTURY

1. The Reformation.

The Concordat of Bologna has brought us to an age of ripened thought and decisive action. The fourteenth century may be described as the period of councils. The church made a commendable, though futile, effort to restrain the papal absolutism, to restore constitutional government, and to initiate reform. In all these attempts, it failed practically, for obvious reasons; though, in the political sphere, the monarchs held their ground with more success against the papacy. The fifteenth century, however, while intent on other matters, forged those weapons which were used so decisively in the sixteenth. For a new and a larger world had opened, in many senses, as the fifteenth century developed. Constantinople had fallen in 1453; and its Greek treasures, imprisoned and isolated for so long, were scattered over western Europe. Printing enabled all this fresh and vivifying knowledge to be circulated broadcast. Greek literature disclosed a buried treasure of experience and thought. It not only revived scholarship and taste, but it gave men a broader conception of life, and a higher view of its possibilities. Not least, it bestowed that free, flexible, reasonable state of mind which was the secret of Hellenic civilization, and the antithesis of mediaeval Christianity. Europe escaped at last out of its mediaeval nursery. Thinkers were able to deal with living and concrete facts, instead of playing with syllogisms and spinning idle theories. Politicians were able to judge the present by the past; that is, by a standard larger and truer than the mediaeval. The whole outlook of mankind was changed: its perspective was corrected and enlarged. Students could meditate the philosophy of Plato and

Plutarch; and men of the world could study and emulate the lives which Plutarch has recorded. They realized what individuals had done, and what the State had been, under a better civilization. They understood that public order and private worth did not depend necessarily on the church. They found that Aristotle was something more than a logician, and they looked with re-opened eyes at the material world. Columbus had actually been to another hemisphere, though the Inquisition had proved it could not exist. Copernicus widened men's conception of the universe, which a false theology had narrowed. Froude has summed up the age, of which he is the great English historian, in the most beautiful prose that he ever wrote:

'The paths trodden by the foot-steps of ages were broken up; old things were passing away, and the faith and the life of ten centuries were dissolving like a dream. Chivalry was dying; the abbey and the castle were soon together to crumble into ruins; and all the forms, desires, beliefs, convictions of the old world were passing away, never to return. A new continent had risen up beyond the western sea. The floor of heaven, inlaid with stars, had sunk back into an infinite abyss of immeasurable space; and the firm earth itself, unfixed from its foundations, was seen to be but a small atom in the awful vastness of the universe. In the fabric of habit in which they had so laboriously built for themselves, mankind were to remain no longer. And now it is all gone, like an unsubstantial pageant faded.' And he ends this moving passage with some words about 'the sound of church bells, that peculiar creation of mediaeval age, which falls upon the ear like the echo of a vanished world'.[1]

For our present enquiry, we may ignore the theological aspects of the Reformation, and everything which has to do with Germany. This is an immense relief. It is our pleasanter duty to follow the course of the New Learning, and to see how scholars and politicians dealt with the church among more civilized and agreeable races. After

[1] *History of England*, Vol. i, chapter I, p. 61.

the papacy had been discredited by the Schism, and while it was being advertised by the Renaissance Popes, Lorenzo Valla undermined the foundations of its authority, through a simple appeal to grammar, by exposing the forgeries on which the mediaeval absolutism had been erected. Valla was followed by Erasmus, his admiring and loyal defender. He carried on the attack by printing the Greek Testament and several of the Fathers. The wit of Erasmus was a more deadly weapon than his scholarship, and clerical folly was overwhelmed by shouts of laughter. The attitude of the papacy towards the Reformation was very simple. The Court of Rome could not reform itself, and it would not submit to being reformed. Towards the New Learning its policy was complex and significant. If it be grasped thoroughly, we have a key to the whole problem of Roman Catholic history, and especially to those phases of it towards which these pages are gradually tending.

2. The Renaissance.

The Humanist Popes welcomed and patronized the tastes of the Renaissance. They were not averse from the architecture and decorations of Imperial Rome, or even from the titles of the heathen pontiffs. The Breviary, though sadly expurgated, still shows they had no prejudice against the phraseology of the old Pantheon. Jewish worthies and Christian divinities must have been bewildered at their *metamorphoses* by the Ciceronians. The papal Court admired many things which were truly admirable in the manners and society of ancient Rome, but it practised others which it should not even have mentioned. The papacy is credited, however, too easily and commonly, with a genuine zeal for the New Learning; with being its chief patron and promoter. Certain Popes did, in truth, employ sculptors, and jewellers, and painters, and stately builders, and honeyed Latinists. The Court of Rome played and rioted with the toys of the Renaissance: yet the very same Popes, and still more their successors, opposed all the serious fruits and consequences of the recovered knowledge; that is, the

application of the New Learning to biblical scholarship, to theology, to church history and government, to the natural sciences, to political and social questions, to intellectual and individual freedom. Scholars like Erasmus were alternately caressed and slandered by upholders of the papacy and of mediaeval ignorance. The intellectual murdering of Italy, and the suppression of its growing proficiency in all the natural sciences, delayed human progress by three centuries, and is a far worse crime than the political and social emasculation of the Italians, or the prolonged agony of Spain.

3. The Council of Trent.

The Council of Trent was the final answer of the papacy to the demands of Europe for a reformation. It met in 1545, and sat, on and off, during eighteen years. Though it was nominally a council, it was not representative of the European churches. During the final sessions there were present 189 Italians, mostly dependents of the papacy, and not conspicuous for learning. There were, besides, thirty-one Spaniards, who were the best theologians in the papal church, but its worst advisers. There were six Portuguese, twenty-six Frenchmen, one Englishman, two Flemings, and two prelates from Germany. The sixty-eight cis-alpine bishops were outnumbered by the Italians, who were neither free nor competent; and the committees were so shuffled that a papal majority was assured in each of them. The general sessions were presided over and manipulated by diplomatic agents of the papacy, whose theologians permeated the whole assembly. Even so, the Roman Court was often embarrassed and alarmed. The Council refused to vote that bishops received their commission mediately through the Pope, which would have destroyed genuine and historical episcopacy. A dubious compromise left this question open; but the Popes have since gained their point effectually, and throughout the Latin Church its nominal bishops are merely delegates, acting 'by favour of the Apostolic See', and wholly dependent on its good-will, as interpreted through

various powerful and wealthy organizations, who are now the real masters of the *Curia*. The chief object of the council was to maintain the papal absolutism, so it could not go behind the middle ages, when that authority was built up. As the New Learning, through its revived scholarship and recovered knowledge, undermined the mediaeval papacy, the theologians of Trent dared not accept it. Beliefs and practices, which the middle ages had received in ignorance and good faith, were re-affirmed and even extended when ignorance could no longer be alleged. Since the exposures of Valla, the papal claims can only be accepted by an act of faith, in which reasoning has no concern, and which history cannot discuss. But few people are, perhaps, aware how modern the whole body of so-called catholic theology is, especially that part of it which relates to the various Sacraments. A great many of those beliefs and practices, which are now denoted by the term catholic, owe their final establishment and expression only to a most uncatholic and very modern assembly.

Besides the defensive policy of examining and formulating belief, the council met ostensibly to draw up measures of reform, as a prelude for aggressive war; but, though it issued many decrees, there was more talk than reality in their execution. The *Curia* lost its former revenues from those churches which had renounced its authority. England went, and a large part of Germany, Scotland and Holland soon followed. France was regulated by the Concordat of Bologna. Even in the countries that were left, the pecuniary exactions of Rome were limited. The precedents of Sixtus the Fourth, Innocent the Eighth, Alexander the Sixth, Julius the Second, Leo the Tenth, were no longer followed so ostentatiously, either in morals or expenditure; but the names of the Farnese, the Aldobrandini, the Borghese, the Ludovisi, the Barberini, the Pamfili, the Albani, the Corsini, and of many other families, whose fortunes and palaces were quarried out of Saint Peter's rock, show that the affections and methods of Christ's Vicars were neither chastened by misfortune nor checked by the so-called counter-reformation, and that the papacy had

altered very little even at the close of the eighteenth century. Nor had the regulations of Trent any more effect on the episcopate and the religious orders. We shall examine both in detail, so far as France is concerned, in a following chapter. If their state, as it has come down to us, is to be considered a 'Reformation', we can infer what mediaeval prelates and convents must have been before they were reformed.

4. The Society of Jesus.

It was not reformation, but reaction, upon which the papacy embarked; and the efficient soldiery in that warfare were neither the old religious orders, nor the wealthy episcopate, nor the parochial clergy, but the new Society of Jesus, which was the real driving power of the Tridentine assembly; and before we pass on again to distinctly French matters, we should give an account of that organization, which was initiated in France, though not by a Frenchman, and which has occupied so large and active a place in her political and ecclesiastical affairs. The Society of Jesus was originated by a Spaniard, then studying in Paris. He gathered some friends round him, and formed a little company, to fight the reformation, to serve the Pope absolutely, and to save his falling monarchy. One of its chief weapons was to be education. Ignatius and his brethren went to Rome, and their plans, after some hesitating fears, were approved by Paul the Third, in 1540.

So rapid was their progress and so convincing were their proposals, that within five years they were manipulating the Council of Trent, and moulding the Roman policy. From that day to this, even during their suppression, they have never ceased to influence the Holy See. Like many confidential servants, they became the real masters of the establishment. During the seventeenth and eighteenth centuries, they directed many Sovereigns, and guided many Cabinets, and manipulated a large number of the bishops. The latter is not surprising, as so much of the highest patronage depended on their favour. Since their restora-

tion, they have permeated the whole Roman church. Its present condition is chiefly the result of Jesuit policy; and its future prospects depend on the continuance or the ending of that predominance. That they should alter, is impossible; for they would cease to be Jesuits. Mended, they cannot be. Ended, they have been once, and may be again. In spite of all that has happened, the Society still has great influence, and it is fatuous to ignore its undoubted power. The Jesuits are numerous. They are in all countries, and belong to none. In every sense of the term, they are an International Society, more centralized and highly organized than any other, and ruled by a small bureaucracy at the centre, which is in touch with the Vatican and all the papal congregations.

The Jesuits are very wealthy. Their real and funded property must be enormous; and their annual revenues are far in excess of their ostensible requirements. Their influence is in proportion to their wealth. It is exercised through innumerable schools, which they provide for the upper and middle classes. They do not overlook the education of the poor, though such ministrations are not their favourite pursuit, and that work is usually delegated to inferior associations. They always have an advantage over lay-teachers, because their scholars are also their penitents; and the Jesuits are the masters and inventors of 'direction', of that extended confessional system, which was itself only made obligatory in the thirteenth century. In many countries, the pick of the laity are in their hands, so far as they are practising Roman Catholics. They are compassed about with a crowd of devout women, their open supporters and sometimes their secret agents. The spiritual training of the secular clergy is now altogether on the Jesuit model; and their moral theology is learnt either directly from Jesuit manuals or indirectly through Alphonso of Liguori. Many high ecclesiastics have been their pupils, and are still their devotees. A great number of modern orders and congregations are in open sympathy with the Jesuits, or secretly under their control.

In modern times, they work largely through the Press, not only by their avowed organs, but by their unsuspected allies on the staff of ordinary papers. From the Stock Exchange to the manipulation of history, there is no instrument which they have neglected. Both in commerce and scholarship their accounts should be rigorously audited. When they were founded, they set themselves to capture education, as a means of regaining the lost predominance of Rome, and many of their hardest battles have been to retain that indispensable position. As teachers, up to a certain point, they have always been successful. They can turn out pretty stylists and facile rhetoricians, and their pupils can pass examinations with flying colours. Beyond this, their teaching powers are baffled; because the Jesuit teachers cannot convey that of which they have deprived themselves.

Mark Pattison, in his portraits of Scaliger and Casaubon, contrasts the simulated erudition of the Society with the genuine scholarship of the later Humanists; and justly. More than this, the Jesuit advocates too often dissimulated those truths which they should have acknowledged. Their scholarship, besides being artificial, was untrustworthy. They were libellers both of dead authors and of living men; and manufactories of slander were among the most prolific of their industries. It was not for want of talent or of training that the Jesuits failed. They have always had plenty of the one, and too much of the other. I do not mean that their education has been in excess of their abilities; but that their very training itself, and the whole spirit of their institution, is destructive to such abilities as may be drawn into it. The Society would be irresistible, if its training did not inevitably hamper its own subjects. Its machinery is so minute that nothing escapes it, and very little is left after its application. So long and so thorough is the discipline which every Professed Father must undergo that his finest and most individual qualities are ground away. The individual is sacrificed to the institution. The discipline is more destructive than constructive. The Ignatian method can forge a dangerous

and marvellous weapon for obedience, as keen and hard as steel; but it not only cannot bring out, it even destroys, that initiative by which alone a weapon can be put to its highest use. For this reason, no Jesuit, except the Founder, has attained the first rank as a man of action; and that old soldier has had no superior in strategy or tactics.

In the sphere of thought, the Society has failed even more: it has never produced a philosopher or an original thinker, for men 'can't think in batches'; but only fluent writers, too subtil casuists, and pitiless logicians. Indeed, the Jesuits have generally been the dupes of their own logic. In their political calculations, they have failed continually through not allowing for that ordinary human nature, mingled of good and evil, which they have warped in themselves, and mis-judged in others through their casuistry. It is here that they are so inferior to Machiavelli, and so much more destructive to morality. Machiavelli saw men as they really are, and acted accordingly. He is not immoral, only non-moral; but the Jesuits have always imagined men as they ought not to be, judging them presumably by themselves or by their system, and very often, to the honour of human nature, they have been miserably deceived. Even their General is a victim to the organization which he is supposed to rule. No official, with so much nominal authority and so much theoretical power, counts for so little personally as that mysterious and hidden leader. He is more than a Veiled Prophet; and, like most unknown things, he is credited with unlimited power, and inspires an unreasonable fear. But in the first place, he is a Jesuit like all his subjects, and has been intellectually emasculated, and perverted morally, by the system. Next, he is bound by rules and constitutions, which he dare not modify, and beyond which he cannot stir.

More than this, these rules and constitutions are not only dead writings; they are embodied and ever present with him, in the shape of living men. The General is watched, and guarded, and probably reported at every turn by officials who represent the various interests of the Society. Its

continuity and stability are thus provided for, but again at the expense of individuality, and at the sacrifice of everything approaching to initiative and power. It was for this reason that I described the Society as a bureaucracy, and not an autocracy, as it is generally considered. It has made all the mistakes of a bureaucratic institution, and will probably end through the defects which are inherent in that form of administration; that is to say, it will become first intolerable, and then inefficient. Meanwhile, failure is writ large and continuously over the annals of the Society, in spite of its heroic labours and its superb devotion; and that failure will be the penalty exacted from the papal church, so long as it allows the Jesuits to direct its policy, and dominate its *personnel*.

No organization, not even the Roman church, can afford to be guided by men whose thoughts are always bound in by an iron rule, and whose natural talents are always repressed to the dead level of a Society. If mediocrity could overcome the world, it would have succumbed to the Jesuits within a century of their foundation. Their history shows how dangerous even mediocrity can be, if only it be disciplined. But the Jesuit discipline is so thorough that it destroys the material it has to work with; and even the directing force of the Society is weakened by the same destructive process. Both rulers and ruled are reduced to the same level, and it is only so that the general efficiency and the marvellous obedience of the Society have been maintained; but institutions, like men, must have the defects of their qualities, and the defect of Ignatius' system is that it represses and sterilizes all that is most valuable in the individual. Since Ignatius, with the exceptions of Laynez and Acquaviva, there have been no individuals, but only an impersonal machine. Father Parsons might be added to the list; for he was a sturdy rebel, not only against his Sovereign, which would be no singularity in a Jesuit, but even against the Pope and the General himself when their policy would not bend to his.

5. The New Romanism.

The first work of the Jesuits was the Council of Trent, which re-fortified the papal stronghold; and from that position they carried war successfully in their enemies' country, and regained many parts of it. Education fell into Jesuit hands, or followed Jesuit methods; and the Society raised up a new generation, submissive to the papacy. Where persuasion failed, repression was applied without scruple or remorse. Thought and freedom were killed out of Italy. Spain sacrificed everything to a barren orthodoxy. Europe was devastated by religious wars, for which the Society is largely responsible. Sovereigns were excommunicated, deposed, invaded, assassinated. Queen Elizabeth's life was attempted many times. For the aims and methods of the Jesuits in England, Father Taunton's admirable history may be consulted[1]. The Prince of Orange and two kings of France were murdered. Jesuit theology advocated these methods, and inflamed the agents of them, though Jesuits themselves did not perpetrate the acts of violence. The campaign in the field of letters should not be forgotten. Baronius composed church history to order, and coloured it to suit Roman tastes. Bellarmine constructed that theology which is the link between Boniface the Eighth and Pius the Ninth; he connects the mediaeval papacy with modern ultramontanism. He taught that the Pope is infallible by direct illumination of Christ; and the Council of Trent, before it separated, condemned both Gallicanism and the decrees of Constance, by saying that its own canons would only be valid after the papal confirmation.

In this new warfare, the attitude of France has seemed to many observers dubious and hesitating; but she acted, as usual, with logical clearness, and with fidelity to her own principles. Luther, with all his noise, was not a more strenuous opponent of Rome than the French monarchy; and, after all, the papal jurisdiction was excluded from

[1] *History of the Jesuits in England*, by Ethelred L. Taunton. 1 vol. (Methuen).

France until 1802, though it continued to be exercised in more than half of Germany. That other part, which was reformed, only effected its release by destroying the whole national fabric of religion. Such reformations of religion are easy, and usually have another name. They are not statesmanship, but they are Teutonic and taurine. Henry the Eighth made a clean sweep of the papal jurisdiction and the religious orders; but he preserved, and indeed enlarged, the existing fabric of his church. The French kings did not exclude the orders, but they did exclude the papal jurisdiction; while they never ceased protesting against the encroachments of the *Curia*, and the anti-monarchical theology of Bellarmine and Mariana. These teachers insisted that the Pope was not only infallible head of the church, but also king of kings, and the disposer of all other crowns. His temporal sovereignty was asserted no less than his spiritual supremacy. The decrees of Trent about discipline were considered so aggressive, and so dangerous both to the property of the French church and the prerogatives of the Crown, that these canons were never admitted into the kingdom. At the beginning of the Reformation, the French prelates had little prejudice against the movement; and the first Valois kings vacillated according to their political necessities. When church property was threatened and the king was inclined to the reformation, the prelates became furiously conservative. The bitterness of their opposition is shown in the wars of the League; and these wars enabled the papacy to give a striking example of its power. The heir to the Crown, being a Huguenot, was excommunicated in 1585; and he was held in check for ten years by papal and clerical opposition. Though Henry the Fourth said lightly that Paris was worth a mass, yet he only mounted his throne by submitting to Clement the Eighth, by utilizing the papal influence over French subjects, and recognizing all the decrees of Trent. The Bourbons thus began their sovereignty by endangering those Gallican liberties which the Capets and the Valois had always maintained successfully, and on which depended all that was left of constitu-

tional government in the Latin Church. Notwithstanding his submission, Henry the Fourth was never forgiven his Huguenot origin and his edict of toleration. Of that salutary measure, so indispensable for the peace and prosperity of France, the Pope said 'This edict crucifies me; this most cursed edict, by which liberty of conscience, the very worst thing of all in the world, is allowed to every one'. Ultramontane protests were not confined to words. There were three immediate attempts at assassination; and on the 27th of December, 1594, John Châtel, a pupil of the Jesuits, succeeded in wounding Henry. The Parliament of Paris banished the Jesuits, within three days, from all towns where they had colleges, as corrupters of youth, disturbers of the public peace, enemies to the king and the State. In fifteen days, they were ordered to leave the realm. One of their number, Guignard, was condemned to death, as a reparation for his outrageous and slanderous writings against the honour of the late and present kings, found in his study, written in his own hand, and composed by him.[1] In a few years, Ravaillac did effectually that which Châtel had bungled.

Though Henry the Fourth, pressed hard by his difficulties, entered his kingdom through the Pope, yet the French lawyers and parliaments were firm upholders of the national honour and the Gallican liberties. The States General in 1614, and the theological Sorbonne in 1663, protested against ultramontane aggression, and condemned the dangerous theology of Bellarmine. The latter, in the interests of the papacy, not of liberty as Mr. Lilly insinuates, was an opponent of the Divine Right of kings. Aquinas had said 'The secular power is subject to the spiritual, as the soul to the body'. Bellarmine went on to say 'Secular power has not been given directly to any one in particular, therefore it belongs to every one, and so is vested in the people'. From this, he deduced, not our current theories of liberty and representation, but that the papal authority alone is of divine right, and in consequence the Popes are superior to all secular monarchs. By dissimulating the real point of Bellarmine's

[1] Lavallée, *Hist. des Franç.* iii. 87.

thesis, some apologists of the Jesuits have asserted that they alone were the vindicators of popular freedom in a servile age: but the only freedom they asserted was that of rebellion and assassination, if kings were displeasing to the Pope, whose divine authority they maintained at all costs, and against all the rights of society. The Divine Right of kings was not a doctrine of tyrants imposed on slaves. It was a legal and necessary theory, as society then was, devised for the protection of civil governments against the theocratic assumptions of the papacy. To the papal theories of Bellarmine, Bossuet replied by saying that 'the royal power was a reflection from the god-head, and a species of divine providence'. We have now come, at length, to Louis the Fourteenth, and the famous Articles of 1682, which are the fortress and armoury of Gallicanism, as the Tridentine decrees were of ultramontanism.

CHAPTER III

GALLICANISM

1. The Four Articles.

The first of these Articles was a protest against the doctrines of Bellarmine, which we have just explained. It declares that the Pope has no authority in temporal concerns; that neither directly nor indirectly can he depose Sovereigns. The remaining Articles assert the constitutional rights of the whole church. Article Two says the decrees of Constance, on the supremacy of councils, are still valid and in force. Thirdly, the Sovereign Pontiff can only govern the church according to the canons, and especially he may not make any attempt against the constitutions and admitted rights of the Gallican church. Lastly, his decisions in matters of belief are questionable so long as they have not been confirmed by a judgment of the church. This, then, was the Gallican position in the last quarter of the seventeenth century. It not only re-affirmed the positions laid down at Constance, but it ignored, or even denied, the canons of Trent; and it opposed the Jesuits both in their policy and their theology. About the latter they were very touchy; or Pascal and the Port Royalists would not have goaded them into madness. The ecclesiastical history of France, from 1682 to 1764, resolves itself into a battle over the Gallican liberties, in which the Jesuits were the assailants, and the majority of the nation, represented and seconded by their Parliaments, were the successful defenders. As long as Gallicanism stood in the way, the Council of Trent was inoperative in the most important member of the Roman communion; and that farther papal development, which Bellarmine had clearly outlined, and towards which all the machinations of the Society were directed, was blocked. The progress of the

battle is an illustration of Jesuit policy, and of its results.

Louis the Fourteenth had stepped into power, in 1660, saying literally, *L'État c'est Moi.* He said no less effectively *L'Église Gallicane c'est Moi*; and he asserted his full right to dispose of all church property. The revocation of the Edict of Nantes, though most acceptable to Rome, was much more an application of the royal autocracy, both in church and State, than a concession to theological intolerance. In this matter, as in so many other matters, Macaulay plays over the surface of his documents, and misses the *vraie vérité*, in spite of his verbal accuracy, and so is a deceptive guide. It was ordered by the king that the Four Articles should be taught in all seminaries and colleges. According to a phrase which the late Education Bill has made current, the clergy were to be trained in a Gallican 'atmosphere'. As Ultramontanism is apparently a tender plant, the Pope objected strongly, and refused to institute bishops, until thirty sees were vacant. In 1693, the king yielded in the matter of the seminaries; but he held to the Four Articles, and even extended his royal jurisdiction, two years later, by giving his bishops a larger authority over the monastic orders, and subjecting the clergy more stringently to the civil courts. But in his declining age, battered by many wars, with diminishing popularity and a starving population, Louis gave in to Jesuit pertinacity. By their incentive, the Jansenists were persecuted: Port Royal was destroyed and desecrated. The next move in the campaign was the Bull *Unigenitus*, issued by Clement the Eleventh in 1713. It condemned the *Réflexions morales sur le Nouveau Testament*, by Father Quesnel, of the Oratory, which had been written in 1671. It was a pious work, dedicated to the Cardinal of Paris, praised and used by Clement himself; as it had been allowed more than forty years of popularity, no one suspected it was un-orthodox. The Jesuit Le Tellier was more penetrating than the official censors. He was the king's confessor, and began by denouncing the book to him. The intrigues of the Society then procured its

condemnation at Rome. So hard was it to find the errors, that the enemies of the volume had to compare it to an abscess '*dont la pourriture ne peut sortir qu'après qu'on y a fait des incisions*'. 'At a first perusal,' the Bull goes on, 'the reader finds himself drawn by a seeming piety: the style is more caressing and insinuating than oil; but the matter, like an arrow shot from an insidious bow, is designed to wound secretly those who are simple and candid.'[1] The friends of the book said its condemnation would compromise Augustine and the New Testament itself. The attack on Quesnel was only a pretext to heal a difference between the Jesuits and the papacy, to inflame the Jansenists, and to make a breach in Gallicanism by fomenting discords. In all these purposes it succeeded admirably, and France was seething with theological rancour for the next half century.

The publication of the Bull, and of the letters patent which authorized it, caused such an opposition as Louis had never experienced. The anxieties which followed worried him literally to death. 'Ce Prince s'était, à l'instigation du Père Le Tellier, affreusement tourmenté au sujet de cette maudite Constitution, au point qu'il n'en avait de repos ni jour, ni nuit; c'est ce qui lui à ôté la vie.'[2] The trouble went on through the Regency, and almost through Louis the Fifteenth. In the progress of it, the Court fell more and more under Jesuit influence; and, as a consequence, the bishoprics were given generally to their nominees. The Jansenists were cruelly harried; and over thirty thousand *lettres de cachet* were issued against them in thirty years. The bulk of the nation, the lower clergy, the lawyers, and the Parliaments were staunch against the Bull; they judged, by a sound instinct, that their Gallican liberties depended on rejecting it. The Regent gave in through fear and laziness; Louis the Fifteenth, through inexperience; Dubois, because he wished to be Cardinal; and Fleury, because he wanted to be Pope;

[1] Rocquain, *L'Esprit Révolutionnaire avant la Révolution*, p. 4.
[2] La Princesse Palatine, Duchesse d'Orléans, *Correspondance*, ii. 169.

and thus the Court and most of the hierarchy lent themselves to the Jesuits' design.

So violent was the national feeling, however, towards the end of this long struggle, that Louis recoiled, and let the Parliaments have their way; and they made short work of ultramontanes and Jesuits alike. On August 6, 1762, the Jesuits were condemned by the Parliament of Paris. In two years more, the king suppressed them throughout France, and banished them from his territory. The other Bourbon Governments and Portugal had followed the same policy and they united with France in urging Clement the Fourteenth to dissolve the Society in 1773. This was an unexpected result of Father Le Tellier's conspiracy. There were two other consequences, which should not be overlooked. The bigotry which was let loose, the prosecutions which it led to, the absurdities which it paraded, the hypocrisies which it set in high relief, were acceptable material for those who disliked the current theology. Voltaire and Montesquieu lost no opportunity of ridiculing the fanaticism and the abuses of the clergy. The *Encyclopedia* and the *Philosophical Dictionary* were published during these years; and, before the end of the controversy, France possessed an active party of critics and thinkers, who, under a show of raillery, felt and disseminated a profound hatred for the pervading injustice of church and State. The course, and still more the end, of the quarrel showed the Parliaments their power in a discontented nation; and the Crown never recovered the position it had occupied before the surrender of 1762. Gallicanism, on the other hand, was never so strong as in the few years that elapsed before the Revolution.

During that period, the Crown, seconded zealously by the Parliaments, carried out the full intention of the Four Articles, and revived the traditions of the fourteenth century. The legate could not act without the royal license. No Bull had any force until it had been approved and registered. No ecclesiastical cause might be taken to Rome; and all sentences passed by the church courts in France were liable to revision and reversal by the king's

judges. Such was the Gallican church on the eve of the Revolution. It had many faults, both of spirit and administration, as we shall demonstrate. But it had come triumphantly, on the whole, through all the storms and trials of the middle ages, and the fiercer conflicts of the sixteenth century. It offered a strenuous and successful opposition to the various encroachments of the papacy. In spite of its betrayal by Francis the First, its nationalism was not overborne by that fierce reaction which alone explains the papal victory of Trent and the Jesuit successes. The fanatics of the League did much harm to French liberty, by relying on the Pope and admitting his influence into national affairs. That injury was carried still farther by the necessities and submission of Henry the Fourth, which brought the Crown itself under papal authority. From all these repulses, Gallicanism recovered itself; and it was never more independent of Rome than in the last twenty years of its existence. Though the bulk of the lower clergy and some of the bishops were firm nationalists, the hierarchy, by the middle of the eighteenth century, had been largely captured by the Jesuits; and the episcopate was more ultramontane under Louis the Fifteenth than it had been in the vigorous times of Richelieu and Bossuet. This change of spirit was often modified by other considerations. On the eve of the Revolution, not a single bishop was a commoner. They were all nobles, and most of them from the greatest families. The dignity and tradition of their Order did not allow them to be servile to the papal administration, or to accept the infallible authority of a mere Italian; and their correspondence with the papacy often shows that the aristocrat in them was stronger than the ecclesiastic. It was not until the privileges of the aristocracy were first threatened and then abolished, that the French episcopate became ultramontane. Even men who had only known the attenuated monarchy of the Restoration were staunch to the Gallican traditions, long after they could be practised; and the process of Romanizing the French clergy was not completed until the Vatican council.

But the aristocratic origin and traditions of the hierarchy had other consequences, which were ruinous to the church, and lamentable for the nation. As ecclesiastics, the bishops belonged to the First Order; as nobles, their sympathies were with the Second, and they were opposed to any aggrandizement of the Third. Both as churchmen and as nobles, they were out of sympathy with the national aspirations for reform, and liberty, and progress. Talleyrand is the honourable exception which proves the rule. Though many of them were sceptical, they were all ferocious opponents of toleration. They were thus wholly incapable of dealing with that new era, which was driven by official incapacity and selfishness into revolutionary courses. For these misfortunes, the French episcopate is very largely responsible. They not only failed to appreciate the movement, and to estimate its gravity, or even its necessity, but they aggravated it first by obstinate though futile resistance, and then they passed on to rebellion and treason against the State. They were fomentors of civil war, and encouragers of foreign invasion. A farther examination of the Gallican church, as it existed through the eighteenth century, will explain the feeling of the nation towards the higher clergy, and may perhaps excuse a great deal that happened during the Revolution. The church was not the sole cause of the Revolution, but it had a large and a guilty share in precipitating it. A bare recital of facts and figures is a sufficient justification of this view.

2. The Gallican Church of the Eighteenth Century.

Under the old *régime*, the French clergy were an Order of the body politic, or as we should say an Estate. They were a corporation, holding enormous properties, exercising innumerable rights, and mis-using invidious privileges. They were not only an Order, but the First and also the richest Order in the Kingdom. Their real property has been estimated at four *milliards*.[1] Now a *milliard* is a

[1] M. Debidour estimates the domains of the clergy at three *milliards* '*au bas mot*'. The higher estimate is from the Report of Treilhard to the

thousand million *francs* or *livres*; in other words, as a million *francs* is £40,000, a *milliard* is £40,000,000 sterling, and four *milliards* is equal to £160,000,000. The real property, or the domains of the clergy, including land, forests, and buildings, produced a revenue estimated by all authorities, at from eighty to one hundred million *livres*. The clergy had another source of revenue in tithes, which are estimated variously. M. Debidour gives them at the same figure as the rents; that is, from eighty to ninety millions.[1] M. Briand rates them higher, at one hundred and twenty-three millions.[2] In this calculation he follows Taine.[3] M. Briand thus calculates the clerical revenue from property and tithes at something over two hundred millions.

There was yet a third source of income for the clergy; namely fees and alms. The amount from these is not easy to calculate, as no official return was ever made. Fees are always lucrative in Roman catholic populations, where many of the Sacraments are rated, and masses, which are in continual demand for the living and the dead, are marketable: but it is not possible to give an exact estimate of the money which was derived from the *casuel* and the *quête*. The following account, however, may be of interest, for it shows the extent and nature of these payments. It is the scale of charges for a wedding in the family of a peasant: '*Bans* 10 *livres*; *Fiançailles* 2 *livres* 7 *sols*; *Billet de Confession* 3 *livres*; *Messe* 15 *livres*; *Pourboire au Curé* 6 *livres* (*au minimum*); *Cierges* 48 *sols*:'[4] total 36 *francs* 55

Constituent Assembly; and it is adopted by Taine as well as by M. Briand in his Report to the Chamber of Deputies, in 1905, on the Separation Bill. As this is my first reference to M. Debidour, I cannot refrain from expressing my admiration for his weighty and impartial work on 'The Relations between Church and State in France, from 1789–1870'. My present reference is to this volume, p. 21. In future references, I shall quote the book shortly as 'Debidour', giving the pages; until the course of our enquiry leads us into his second volume, which continues the subject from 1870–89.

[1] Debidour, p. 21.

[2] Briand, *Rapport*, p. 2.

[3] *Ancien Régime*, vol. i. p. 22.

[4] Jean-Bernard, *Hist. Anecdot. de la Révolution Française*, p. 367.

centimes. These figures should be multiplied by at least two and a half to realize the actual burden on a peasant under Louis Quinze. If such a sum were extorted from the poorer class, and for one only of the necessary events in most lives, it may be imagined what was yielded to the clergy by a mixed population of twenty-six millions, including many rich towns and a vast number of wealthy individuals. Baptisms, first communions, confirmations, death beds, funerals, all brought their toll to the clergy, as well as marriages. It must be remembered that none of these things could be performed civilly, or by any dissenting minister, so that all Frenchmen were compelled to subsidize the established clergy. Moreover, the *billet de confession* was indispensable as a passport to all employments; and education was a clerical monopoly, as well as various other acts of life which have now been resumed by civil governments.

Putting aside this large and unverifiable source of income, the revenues of the clergy from their rents and tithes amounted to more than 200,000,000 *livres*, or £8,000,000 sterling annually. The budget of the State, at this period, was generally a little below 500,000,000 *livres*. These amounts, and all others with which we are dealing in this chapter, should be multiplied by two and a half to estimate their current and spending value. In 1887, the *budget es cultes* amounted to 45,649,563 *francs*, at which approximate figure it has remained since. In our money, the French clergy have been receiving about £1,823,000 a year, while the budget of the State, for 1899, was returned at £145,000,000. These figures may show the relative positions of the church and State at the close of the eighteenth century and the opening of the twentieth, as well as the enormous wealth and power of the clergy during the former period. It has been estimated that the clergy possessed a third of the wealth of France, and a fifth of its land. In some Provinces, it owned half the land; in others, three quarters; and in some districts, all.

The clerical and ecclesiastical body, living on church

property, amounted to 130,000 persons, divided as follows: 70,000 secular or parochial clergy, including 2,800 prelates, vicars general, and cathedral chapters; 5,000 canons of collegiate foundations; 60,000 *curés* and *vicaires*, and 3,000 unbeneficed ecclesiastics. The regular clergy numbered about 23,000 men in 2,500 monasteries; and there were 37,000 women in 1,500 convents.[1] The division of clerical property was, to say the least of it, unequal. The 298 Benedictines of Cluny enjoyed a revenue of 1,800,000 *livres*. The 1672 Benedictines of Saint-Maur practised poverty on 8,000,000 *livres* a year, or about £700,000 of our current money. Their estates gave as much again to various *abbés* and priors *in commendam*; and they estimated the moveable property of their houses and churches at 24,000,000 *livres*.[2] The Canons of Saint-Claude in the Jura owned 12,000 serfs, by which number the extent of their acreage can be inferred; and the Dominicans of Toulouse, besides a revenue of 200,000 *livres* and much real property in France, owned in the colonies a large number of black slaves and other chattels.[3] As might be supposed, the lives of these great proprietors were not austere. The Abbot of Clairvaux 'always polite to men and *galant* to women, never travelled without a coach and four, with an out-rider in front'.[4] 'The Charterhouse of the Val-Saint-Pierre was a palace in a vast domain, where the Father Procurator gave up his days to hospitality.'[5] The Abbess of Saint-Quentin 'gave dinners to men in her private rooms'. The Abbess of Remiremont and her lady Canonesses were nearly always travelling, and when at home 'on s'amuse à l'abbaye'. The Canonesses of Alix were dressed in fashionable hoops, 'comme dans le monde,' for their offices in choir. Convents of this kind were agreeable, and some of them were decent, retreats for widows and unmarried women of good family, or for young wives whose husbands were at the wars.

Even more splendid were the lives and revenues of the

[1] Taine, *Ancien Régime*, i. 20, and Briand, *Rapport*, p. 1.
[2] Taine, i. 23.
[3] Ibid.
[4] Ibid. i. 185.
[5] Ibid. 186.

hundred and forty[1] bishops and arch-bishops. There is no doubt as to the aggregate wealth of these prelates; but there are differences in the estimate of their several incomes.

Mr. Bodley asserts that only eleven of them received £4,000 a year; and that the richest, the arch-bishop of Strasbourg, had merely £16,000. 'These figures,' he says, 'in their French equivalents, are found in the *Almanach Royal* of 1780.' But the highest French authorities have demonstrated the inaccuracy of this *Almanach*. Taine has pointed out that the arch-bishop of Strasbourg is credited with 400,000 *livres* in *La France ecclésiastique*, and another contemporary witness gives it at 600,000.[2] The Abbé Sicard, also, in his admirable *Histoire de l'ancien clergé*, credits the See of Strasbourg with 400,000 *livres*,[3] and his account of all the episcopal revenues is very different from Mr. Bodley's. The latter gives a mean allowance of £8,000 to the arch-bishop of Paris, while Sicard says that his ample revenues amounted to 600,000 *livres*, about £24,000, or between £50,000 and £60,000 a year in current value. Sicard points out how and why the estimate of the *Almanach Royal* is incorrect or misleading; and Taine, going into the question at some length, proves the inaccuracy of the *Almanach*. In giving the amount at £8,000, as Mr. Bodley does, following the *Almanach*, he not only relies on a discredited authority, without warning his readers, but he omits to inform them that all sums should be doubled, at least, if their current values are to be stated fairly. Mr. Bodley seems to overlook the pertinent fact, which is not one of the secrets of history, that benefices were accumulated in the hands of bishops and other courtiers. This accounts for the 400,000 *livres* amounting, with the episcopal revenues of Strasbourg, to the income 'plus d'un million', squandered by the Cardinal de Rohan, the hero of the Diamond Necklace, who was always in debt. The benefices of Loménie de Brienne, Arch-bishop of Toulouse, were even more lucrative,

[1] Debidour, p. 22; but M. de Lanessan, *L'État et les Églises en France*, reckons them at 132.

[2] Taine, *L'Ancien Régime*, i. p. 331.

[3] Sicard, *Hist. de l'ancien clergé*, p. 106.

and amounted to 678,000 *livres*, besides the revenues of his diocese and his ministerial salaries. It is true that certain episcopal endowments and properties were small, especially in some districts; but opportunities for utilizing patronage were considerable, and episcopal attendance on the Court was generally sedulous.

A frenzy for promotion swayed too many of the bishops. Some were always intriguing for translation, and others for the red hat. These were the goals of their ambition, and the aims of all their policy. It was these ambitions which put so many of them at the disposal of the Jesuits, who were frequently the dispensers of court patronage and always the conduits of papal favour. M. Debidour admits the inequality of bishops' incomes; but he says they received 'chacun *en moyenne* de 80 à 100,000 livres par an': that is from seven to ten thousand pounds of our money, so we need not commiserate their poverty. As all the French authorities are agreed in this matter, and give their reasons, Mr. Bodley owes an explanation to his English readers for informing them that 'The great majority of the Bishops received from 1,000 *l.* to 1,500 *l.*'[1], and no more.

Many of the bishops, as M. Debidour points out, did not mis-use their revenues. There were among them prelates who were conspicuous for their learning, their charity, and the propriety of their lives: men who played their part worthily in the Constituent Assembly. 'But good living has no history. Bishops without vices were never prominent. The other sort were too much so, and they dishonoured the whole Bench in the eyes of the nation.' Such men as Dillon, Loménie de Brienne, and Rohan gave catholic France a very sad notion of its chief pastors. 'It could only see in the episcopal body selfishness, frivolity and corruption.'[2] We read of a bishop of Troyes, who quilted his confessional in white satin, and only admitted penitents of a roguish countenance (*au minois fripon*); of an abbot of Clairvaux, whose dances were not stopped by the matin bells; of a bishop of Nancy, whose balls in Lent

[1] *The Church in France*, p. 78.

[2] Debidour, p. 23.

scandalized his cathedral town, so that the citizens begged him to respect the convictions of others if he had none of his own; of a bishop of Arras, 'surprised' at four in the morning, by an officer of the Guards whom he had anticipated, and the two men adjourned from the bed-room to a duel in the garden; of a bishop of Toul, 'qui s'entourait de chanoines frais et roses, recrutés à Paris, et que le peuple avait surnommés: les Mignons du Camail.' The hospitalities of the abbot of Berny were dispensed by M^lle^ Leduc, 'la célèbre ballerine de l'Opéra'; and the arch-bishop's palace in Bordeaux was presided over by a mistress of the same description, who did the honours of his elaborate dinners, his receptions, and his *fêtes*.[1] Apart from such incidents as these, the luxury and splendour of the prelates were an outrage both to their profession and to the grinding misery of the population.

The bishops hunted, built, lived as provincial grandees, and held their courts in imitation of Versailles. The bishopric of Strasbourg was hereditary, passing from uncle to nephew among the de Rohans. Their palace had 700 beds, stabling for 180 horses, 14 *maîtres-d'hôtel*, 25 *valets de chambre*. All the Province met there. His Eminence could entertain two hundred guests, besides their servants. At all times one found at home with him twenty or thirty most charming women of the Province, and their number was often increased by others from Paris and Versailles. The whole company supped together at nine, and this meal was always like a *fête*. De Rohan himself was the chief ornament of it: splendidly attired, handsome, chivalrous, of exquisite politeness; his lightest smile was enchanting.[2] These suppers were the production of the Cardinal's 'innombrable batterie de cuisine en argent massif'.[3]

The dignitaries next in order to the bishops gave a similar example, according to their means. 'As the canonical Chapters were also too well endowed, and as some of their members were not more edifying, [than the bishops]

[1] *La France Noire*, pp. 292–3. [2] Taine, *Ancien Régime*, i. 187–8.
[3] Ibid. i. 117.

this portion of the clergy, *véritable état-major des diocèses*, had not a better reputation than the episcopate itself.'[1]

The eighteenth century was literally the golden age of the higher clergy, not in France alone, but in all Roman catholic countries, and not less in Georgian England. When we turn, however, to the lower clergy, we find a different picture. Those upon whom the work of the churches fell were inadequately paid. The French clergy have groaned at their pittances under the Concordat, and have attributed their poverty to a niggardly or tyrannical State. Nevertheless, they were far worse off under the rule of their bishops than they have been under the protection of the laity. The prelates were harder task-masters than any politicians. The facts and figures which we have now to consider are hardly credible. They are really more scandalous than those which we have examined; and the enormity of them will appear still greater by comparison with the lives and revenues which we have been surveying. While the hundred and forty bishops, the two thousand and odd prelates, the swarm of *commendataires* and *gros décimateurs* (that is, beneficed laymen and various diverters of the great tithes) enjoyed life as we have seen, the vast majority of the sixty thousand *curés* and *vicaires* were experiencing a different lot. Their life was more difficult than the regulated and sheltered ease of those wealthy corporations which are described ironically as religious orders. Most of the secular clergy have been compelled to practise that poverty which all friars and monks profess. The landed estates of the church had been appropriated by the higher clergy ever since feudal times. Even tithes, which were meant as a sustenance for the working clergy and a help to the poor, were diverted from their proper use. They, too, were swallowed up by the dignitaries, or squandered by lay impropriators. These beneficed idlers of the Court and the *salons* described themselves as *curés primitifs*, or as we should say Rectors, and they delegated their pastoral functions to *vicaires perpétuels*, our perpetual

[1] Debidour, p. 23.

curates. These poor drudges of the church would have been starved out of existence if the State had not come to their help, and forced their masters to give them a bare living wage.

Before 1786, the *vicaires perpétuels* received only five hundred *livres* a year, or in our money from forty to fifty pounds. The lower class of *vicaires temporaires* were paid only two hundred and fifty *livres*. Three years before the Revolution, the Government fixed the minimum rate at seven hundred *livres* for one class, and three hundred and fifty for the other, and made the payment of these increased salaries obligatory. And further, besides not being helped by the tithes, it was the starving lower clergy who were compelled, out of their penury, to find a large part of those sums which the ecclesiastical Order condescended now and then to offer, as a *don gratuit* to their king. 'I commiserate the lot of a *curé de campagne*, obliged to quarrel over a blade of wheat with his miserable parishioners, to go to law with them, to exact the tithe[1] of peas and lentils, to waste his wretched life in perpetual disputes.'[2] The accounts of neglected churches, of ruined presbyteries, unfit for habitation, of *curés* begging from house to house for necessary meals, are abundant and precise.

Even when the raised salary was enforced, though a man could make both ends meet on it, yet, as Taine says, 'He lived among wretched beings to whom he owed material help; and he accumulated a store of hidden bitterness against the wealthy drone with full pockets who sent him with empty ones to fulfil the obligations of charity.' This duty was even more neglected by the prelates and the religious houses than the payment of their substitutes. In one parish, the arch-bishop of Toulouse, who took half the tithe, gave eight *livres* a year in alms; in a second, the canons, who took half of some tithes and three quarters of others, gave ten *livres*: and so on, wherever monks and

[1] These petty tithes in kind must not be confused with the great tithes on land, a heavy and an exhausting charge under which the whole French society groaned except the privileged First Order.

[2] Voltaire, *Dict. Phil.*, Art. *Curé de Campagne.*

prelates held the parochial endowments. It is not surprising, when the Revolution came, that the peasants were hostile to the higher clergy, to the monastic foundations, and to the whole existing system of the church; or that the entire population, nobles and peasantry alike, were anxious to be freed from the intolerable abuse of tithes, and the burden of the religious orders.

The Concordat of Bologna had put all higher patronage into the king's hands. The policy of Louis the Fourteenth augmented an evil which was made customary by Francis the First, though it had been practised irregularly before. The wealth of the church and its government had become a monopoly of the *noblesse*. Its prizes were not open to the great body of the clergy. Their interests were separated from those of the hierarchy; and, naturally, they threw in their lot with the people and the reformers. In describing their poverty, we have not filled up the measure of their wrongs. Not only were they excluded from all hope of advancement or reward in their profession, and condemned for life to its menial and almost murderous drudgery, but they had practically no redress against aristocratic and influential bishops. They could be suspended and interdicted at their bishop's whim. Appeals to the tribunals were dear, and generally went against the poor. Besides, bishops who stood well at Court were able to procure *lettres de cachet*. By means of these, a complaining or inconvenient cleric might be snatched away, untried, and imprisoned in the Bastile or in some convent, at the irresponsible caprice or the irreversible decree of his ordinary. 'Instances of this abuse of power were frequent during the eighteenth century.'[1]

The inmates of religious houses were equally defenceless against their superiors. As they had no existence in the eyes of the civil law, they had not even the right of appeal and of complaint. In joining a community, they had renounced all the natural and civil rights of man. Though laxity must have been almost immune from chastisement,

[1] Debidour, 26.

any desire for liberty or reformation was dealt with sternly.

In 1790, when an examination of convents[1] was ordered by the Assembly 'monstrous discoveries were made. The commissioners found at the bottom of horrid dungeons among the foundations, manacled with iron, crouching in filth, trembling with cold, pinched with hunger, various Religious, thus treated by order of their superiors because, tired of the cloister, they wished to regain their freedom and the inalienable prerogatives of human beings.'[2]

The lower clergy, then, wished every ecclesiastical office to be elective, bishoprics, canonries, and parochial cures alike. In the State, they welcomed, as a body, any change which would abolish privilege and equalize taxation. 'Let us not forget,' says M. Debidour impressively[3], 'that it was the alliance of the inferior clergy with the Third Estate which made the Revolution possible.'

But the church has other members besides the clergy, and other duties than towards its ministers. The extent and the mis-use of its property have shown how it fulfilled its more indirect obligations to the country, and what return it made for its gigantic privileges and possessions. We must now examine how it performed some of these duties which may be termed direct and positive. Besides their ministerial functions among the people, the clergy of the past have had special obligations towards the young, the suffering, and the poor.

The church has always claimed a monopoly of education, while its advocates never cease to proclaim its devotion and labour in that cause. It also undertook the management of hospitals, and the distribution of public charity. 'These great national services were perishing under its care, or at any rate were not progressing. The Universities, founded originally by the church, were still under its *surveillance* and control; and orthodoxy alone gave access to them. There were still more than twenty, but some had only a

[1] The term convent is applied properly to any monastic institution. It is only in recent times that it has been usurped, quite improperly, by houses of women. [2] *La France Noire*, p. 300. [3] p. 27.

nominal existence. All of them, including Paris, were sterilized by exclusive bigotry, and had long ceased to have any share in the intellectual progress of the nation. They clung to obsolete methods, from which liberty and reason were banished. They consecrated such vitality as they had to scholastic exercises; and they had not intelligence enough to perceive how vain and ridiculous they were. Youths from the *noblesse* or the middle classes obtained their secondary teaching in a number of colleges, nearly all managed by priests or religious. It was a formal teaching, mostly Latin. French literature, modern languages, history, geography, philosophy, science, and everything which develops thought or independence, hardly found a place in it. Girls went only to the convents. As to primary instruction, by law it could only be given under episcopal authority. Defenders of the old *régime* are fond of saying there were a sufficient number of these *petites écoles*; but in truth they were little frequented, and they taught almost nothing. In 1789, the vast majority of the French could not read; and, in the eloquent denunciation of Michelet, the church had neglected its most sacred duty, the education of the people.'[1] Moreover it spent nothing on education. The Universities were endowed. The primary schools cost little, and that little was provided locally. Secondary education brought in a profit to the teachers. And, what was worse, the church would not allow others to undertake its neglected work. It invariably obstructed popular and genuine education. In 1776, it helped to drive Turgot from office, chiefly because he had contemplated a system of national education under lay control. Even in 1789, it only favoured education so long as it was in clerical hands.

As to charity, the assistance given by the clerical Order may be inferred from what has been described in the payment of the *curés*, and the pittances allowed for poor relief out of the abundant tithes. Over and above this, clerical alms-giving amounted to various basins of soup doled out among tramps and idlers at the convent gates:

[1] Debidour, 15–16.

a method of charity, not only insufficient for the misery of the times, but calculated to increase that pauperism which was destroying the whole body politic.

In the matter of hospitals, of which the clergy had sole charge, there appear to have been about two thousand in a population of twenty-six millions. Only forty million *livres* were expended on them; so that not two *livres*, or less than eighteen-pence, a head, was available for those who required nursing. And of these forty millions, seventeen were provided by the towns; leaving twenty-three millions, as the contribution of the clergy, out of their enormous wealth, to this branch of the national necessities. Necker has enlightened us about the want of proper care, the squalor, the insanitary conditions, in which the sick lived or died under clerical management.[1] Education, charity, nursing were thus all in clerical hands, and were all neglected.

The attitude of the clergy towards the national finances was the culmination of those abuses which accumulated round their Order. This was a corporate, not an individual defect; but it was caused by a spirit and tradition which are ineradicable from the papal system. The First and the Second Estates, the clergy and the nobles, were privileged in the matter of taxation. The nobles did not escape all their obligations towards the Treasury, as they contributed a small share of the *taille*, and they paid both poll-tax and twentieths. Like the rest of the nation, they also paid tithes to the clergy. But the First Order escaped scot-free. They received their tithes, and paid nothing. They got all the rent from their own lands, and a large share from the rent of other people's. In the midst of a nation crushed with taxes, they were practically exempt from payment. Even when the condition of the State was desperate, they offered only a grudging and a paltry contribution. Whenever there was a question of their money privilege, they cried aloud, quoted scripture and the Fathers, and complained of sacrilege. Church revenues were avail-

[1] Debidour, 16.

able for the most profane uses, and individual clergy might use them in the freest way upon their pleasures; but if they were asked as a corporation to give money for public purposes, their wealth then became the inalienable property of the poor, and clerical expenditure might not even be discussed by laymen. Monseigneur Dillon, the disreputable arch-bishop of Narbonne, spoke thus to Louis the Sixteenth: 'Our conscience and our honour will not let us consent to a change which would convert into a forced tax that which should be the gratuitous offering of our affection.' Under these unctuous phrases, an arrogant claim was dissembled, which amounted to nothing less than a rival sovereignty. In money matters, the church was independent of the crown. It treated with the State as an equal and independent power. It was a State both within the State, and alongside of it. It could not be taxed, by any national authority; but it condescended to give occasionally, of its pleasure, a free gift, the amount of which depended solely on itself. Towards the end of the monarchy, which indeed survived the church by a few years, this *don gratuit* averaged about three million *livres* a year, some £250,000; and this was all the clergy would do for the king or the nation, out of their gigantic revenues, when the State was bankrupt, and nothing but sound finance could have postponed the Revolution. Even that small contribution was given unwillingly; and it was compensated either by money concessions of a greater value, or by sterner measures of intolerance against protestants and philosophers, or by new privileges and exemptions. Though it was called a free gift, it was never bestowed gratis. In addition, as we have pointed out, the burden fell, not on those who could afford it, but on those who could not. To the high dignitary, his contribution to the *don gratuit* meant a trifling payment, which he never felt; but to a *curé de campagne* or a still poorer *vicaire perpétuel* it meant a tenth or a sixth of his inadequate salary. It is no wonder that the lower clergy united with the body of the nation against privilege and tyranny. It was by an historic justice that this alliance produced the Revolution.

We have now some conception of that imposing Gallican church, which goes far back into the dim and romantic origins of the monarchy, which was consolidated during the seventeenth century, but only to collapse, without much dignity, at the end of the eighteenth. With all its faults, it has a roll of glorious names; and, amid all its corruption, individual goodness was able to emerge. The Kings of France performed a real service to Christendom by setting up their church as a material and political barrier against the papacy; but they only held their ground by exalting the royal prerogative as against the papal absolutism. Like all other French institutions, the church was sacrificed to the crown; that is, to the national craving for unity and order, of which the crown was for many centuries the instrument and symbol. In the end, the church perished through the decadence and corruption of that authority which alone had maintained it. With regard to the nation itself, the record of the church is not so good. Though it was hostile to the papal encroachments, in its own interests, it too often opposed and thwarted the nation for the same reason. It was not an unifying but a dividing force. Though the church abhors theological schism, it has always been a disintegrating element in politics, from the age of the Antonines onwards; and its social influence has always been of dubious value to the State.

In France it was answerable for the League and the religious wars of the sixteenth century; for the persecutions of the seventeenth; for the interminable quarrels and the hypocritical intolerance of the eighteenth; while its responsibility for the excesses of the Revolution can hardly be over-stated. All these deplorable and unpardonable proceedings were due to the alliance of disloyal or timorous Gallicans with Rome. Such people, in times of danger or trouble, clung to the papacy by which they were invariably utilized and then betrayed, instead of trusting generously to their own countrymen. We shall find the same error repeated, with fatal consequences, during the Revolution. The same policy was continued throughout the nineteenth century, under every change of government, and with the

same result; and it is being continued now, with such results as we shall see. So monotonous is the lesson, and so invariable in its effects, that even the stupidity of a clerical party might have acquired it in less than four centuries of repeated experience and disillusionment.

In politics, the influence of the French church has not been good, for many centuries. Since the Concordat of Bologna, it has never made for liberty, at least never through its official leaders, but quite the contrary. It is needless, therefore, to say that it has consistently opposed intellectual movements and progress of every kind. Socially, no church except the Spanish has been a more guilty and wretched failure than the Gallicanism of the eighteenth century. Its glories ended in the previous age, with Louis the Fourteenth. Under Louis the Fifteenth it no longer produced genius, but only provoked it. Pascal was able to remain in the church though he was sorely tried. Voltaire was forced out of it, implicitly, by his passion for truth and justice. Though his verdict is sweeping, it cannot be set aside. He described the ecclesiastical system of his day, with its abuses, its odious hypocrisy, its ferocious intolerance, its social injustices, as L'INFÂME. It may be inferred, so far as we may judge from analogy, that the Founder of Christianity would himself have adopted Voltaire's phrase, if he could have re-appeared in the France of Louis Quinze. To the Court, to the prelates, to the religious orders of men and women, he would certainly have said *Écrasez l'Infâme*; as that was the sum of his message to the worldly prelates and the theological casuists of his own day.

Before we pass on to the Revolution and the Civil Constitution of the Clergy, there is another accusation against Gallicanism which we must not overlook. In considering the Gallican point of view, we must not forget what is due in justice to the papal. Advocates of the papacy would not arraign the Gallican church for repressing liberty. They would accuse it, on the other hand, of having had too much; and they would go on to attribute its faults to the curtailing of the papal jurisdiction, and the con-

sequent lack of discipline. Such reasoning may sound plausible, but it won't bear examination. The chief moral plague of the middle ages was the nominal celibacy of the clergy, because its ill effects re-acted on the whole population. After this, the two chief clerical vices were pluralities and simony. In each, the papacy was the leading and the most incorrigible offender. Both Rome and Avignon were open markets for the sale of benefices. The Roman church was doing in Italy, and encouraging elsewhere, from the twelfth century onwards, those very things which only reached their height in France towards the end of the seventeenth. Enormous as were some of the pluralities which we have described, they were exceeded by the number and wealth of the many benefices which the Popes accumulated on their relations and favourites. For instance, Calixtus the Third made his youthful nephew Roderick Borgia, the future Alexander the Sixth, a cardinal. He gave and procured him benefices to the amount of 70,000 ducats a year. If we estimate the ducat at half a sovereign, his income was £35,000; and we should multiply that sum by a figure between twelve and fifteen to represent its current value.

Again, during the same generation, Julian della Rovere, afterwards Julius the Second, obtained from his questionable relative, Sixtus the Fourth, the arch-bishopric of Avignon, and the six bishoprics of Ostia, Bologna, Lausanne, Constance, Viviers, Mende, besides two rich abbeys. This was the example set by the Popes themselves; and though their opportunities were curtailed by the Reformation, and perhaps their effrontery was diminished, yet the spirit and practice of the mediaeval *Curia* were continued until the Revolution swept away Pius the Sixth and the papacy of the old *régime*. With the restoration of Pius the Seventh, a new epoch begins; but with that we shall have to deal somewhat later. Pluralities, courtiership, excessive incomes, and non-residence always produce the same evils. These evils were at their very worst under the personal administration of the Popes, that is in the churches of their own dominions. Similar abuses in the Gallican church

cannot, then, be attributed to its freedom from papal interference. At any rate, the prizes of the French church went to Frenchmen, and not to Italians. To the influence and support of the papacy, however, we must attribute the political troubles which were too frequently caused or fomented by the church; and the papacy is implicated in the more serious and fatal consequences which resulted from the open war declared against France by the French hierarchy, even before the Emigration. We may now pass on to that Revolution which was a natural sequence to the abuses of the old *régime* in church and State. Theocracy and monarchy had both come to a disastrous and a disgraceful failure. The old *régime* was bankrupt, and all its authorities were discredited. The new leaders of the French People made an effort to re-build society on reason and the rights of man.

CHAPTER IV

THE REVOLUTION

1. The Reformation of the Old Régime.

The seeds of the Revolution were sown by Louis the Fourteenth, who saw his kingdom almost in revolt on several occasions; and he always feared his capital even more than he disliked it. The chief causes of its discontent were impoverishment and misery, the consequences of reckless and in the end disastrous wars, which ruined the sound and constructive statesmanship of Colbert. The burden of war added to the pervading and grinding injustice of the old *régime*, since it increased that taxation which fell most heavily on those least able to bear it. The accumulation of wealth and power in the hands of the monarch weakened the country both materially and morally, and undermined the bases of local government. The king's mis-use of power deprived the nation of many valuable assets, which cannot be estimated in figures. The dissolution and destruction of Port Royal was a crime; but the moral decadence of Jansenism was a disaster for the higher life of the nation. The decline from Pascal and Racine to the *convulsionnaires* who believed in the Abbé Paris is evident. Disastrous, also, was the loss of good citizens and thriving industries which followed the revocation of the Edict of Nantes, and the inhuman policy of the Court. The system, invigorated by Richelieu, elaborated by Louis the Fourteenth, and consecrated by Bossuet, was grandiose, and for a time effective; but it had no secure foundation, and was destructive both to church and State, even before the opening of the eighteenth century. The theory of divine right was able to resist papal encroachments. It was, indeed, an appeal to morality and nationality, against the illimitable ambitions of Rome, the pernicious casuistry of her militia, and the disintegrating effects of her policy; but the remedy was

only less fatal than the disease, and the history of France in the last century of the old *régime* bears witness to its evils.

There is a treatise by Bossuet, *La Politique tirée de l'Écriture Sainte*, which is an apotheosis or canonization, not only of the old *régime*, but of all its inherent vices. 'The king appears in it as a God, whose presence rejoices the people like the Sun, and whose inscrutable wishes must be accepted on bended knees: a God, it is true, rather like the Homeric divinities, liable to every human passion, and too easily inclined to yield.'[1] This divinity has duties, but he is not accountable to man. His people have no rights against him. All the property of the nation is his, except that of the *Lévites*. *Le droit du prêtre* alone may be opposed to the king, either in moral or material affairs. There are no rights of conscience, except those approved by ecclesiastical authority. 'Those who don't admit that the prince may use force in matters of religion, and the pretence that religion should be free, are guilty of an impious error.'[2] And so this bishop builds up his theory, in golden phrases, appropriated from the Jews; and he applies to modern society the methods of an oriental theocracy, aggravated by the relics of a pre-historic barbarism.

This catechism of Bossuet may be described as the Sacred Law of the old *régime*, which had all the political vices of a theocracy. It was based on privilege and favouritism, it culminated in tyranny, and it was compelled to be intolerant. The system became detestable, even under Louis the Fourteenth, who expiated the sins of his own youth by condemning France to hypocrisy and gloom through his closing years. Some of these evils were increased and aggravated under Louis the Fifteenth, especially the hypocrisy of the ruling ecclesiastics. Persecution is at all times odious; but the stern logic of a zealot may be explained by his own sincerity. Nothing can excuse the cruelties of those who disbelieve the theories for which they make others suffer. The sceptical *abbés*, the voluptuous bishops and jesting friars, of the eighteenth century made religion itself intolerable to thinking men. A sceptical clergy made war on books and

[1] Pressensé, *L'Église et la Révolution*, p. 7. [2] Bossuet.

authors. Nearly everything by which France lived intellectually had to come through Holland, to avoid theological censures, and the hangman's fire. If paper only were burnt, writers were liable to fines and prison. Though the authorities believed little enough, the populace were roused easily to fanatical excesses. Even Voltaire was not safe within the frontiers of Louis Quinze; and he lived in exile until his European fame compelled the respect of the French Court. The tragedies of Calas, of Sirven, and of La Barre, show the intolerance of their persecutors and the peril of those who advocated truth and justice. Intellectual honesty was driven out of the church, and the philosophy of the eighteenth century was rejected by its authorities. While the nation progressed, the ecclesiastics were stationary, and resisted movement in others. They clung to the system of Bossuet and the *Grand Monarque*, while other men had been learning from Newton, and Leibnitz, and Locke, and Hume, and Rousseau and Diderot. The winged words of Montesquieu and Voltaire had spread the teaching of the *Encyclopedia*. The world had gone out to seek for truth, and had come back to nature, as it thought. It had also come back, paradoxical as it may sound, to the Gospel, for there was a great deal of it in the teaching of the eighteenth century. And it was this new adaptation of the Gospel which found itself confronted by the old *régime*, when the States General met in 1789.

If Gallicanism had become stronger in its closing years, it had also become more intolerant; and its last petition to the State was for a greater severity of persecuting laws. 'The Inquisition grows in extent and power,' wrote d'Argenson, in 1752, 'woe betide honest men who don't bridle their tongues'; and again, two years later, 'the sacerdotal party have influence enough to make his Majesty a tyrant.' Even Diderot was imprisoned for his opinions. A certain Abbé de Prades was banished for comparing the cures in the New Testament to those of Aesculapius. In 1757, a law was passed sentencing to death authors, printers, and distributors of books even tending to discredit religion. In 1766, La Barre was tortured, beheaded and burnt for 'walking before

the Host without kneeling or uncovering'. As to protestants, the kings swore to exterminate them at their coronation; and Louis the Sixteenth was exhorted to this intolerance by his anointer. They had no rights in law, and could be legally neither parents nor married people. Their ministers were liable to death; and those who harboured them, to the galleys.[1] Protestants were forced to observe the innumerable church holidays by abstaining from their work. This consecrated idleness was a serious burden on trade and labour, and was most oppressive to the peasantry. So far did intolerance go that doctors might not visit the sick who had not called a confessor; and the irritation caused among the working classes by the enforced *billets de confession* provoked much of that ominous discontent which heralded the Revolution. As late as 1774, the bishop of Laon suppressed a medical course in the college there as 'dangerous to faith'.[2] The most galling disabilities of the protestants were not removed by the mitigating edict of 1787. The tyranny of the church weighed heavily both on catholics and dissenters, on the living and the dead. Voltaire lived in terror lest his corpse should be outraged, and his first burial was only managed by stratagem and secrecy. In the face of all the evidence it is extraordinary that the Cambridge Modern History should minimize,[3] to say the least of it, the atrocities which were practised under Louis the Fifteenth, and which were only removed when the church had been separated from the State. The last corporate act of the Gallican church was to increase the extent and rigour of its claim to tithes. Under Louis the Sixteenth, it not only demanded the ordinary tithe on cereals, but the lesser tithes (*menues dîmes*), levied on seeds newly imported and cultivated, such as special fodders, millet, and potatoes. The unfortunate peasants went to law;

[1] All these examples are quoted from M. Champion's *Séparation de l'Église et de l'État en* 1794, pp. 5–7. They could be added to in multitudes by every one who has read French memoirs of the eighteenth century.

[2] Ibid. p. 5.

[3] *Cambridge Modern History*, viii. 56.

but the judges were *bien pensants*, the king was timorous in church matters, and they lost their cases. The clergy demanded and got new decisions in 1783 and 1784; so that the burden of tithe, instead of diminishing, increased by several millions[1]; and there were 40,000 suits before the Courts when tithes were debated by the National Assembly.[2] It was in these moral and material conditions that the States General assembled; with a groaning country, a discredited administration, and a treasury almost bankrupt.

The desire of the Court was not for genuine reforms, but only for monetary relief. The emptiness of the treasury alone had compelled it, most unwillingly, to summon the States General, after the lapse of one hundred and seventy-five years, and also after various other expedients had failed. Turgot, who was in office from 1774–76, might have rendered the administration solvent, but he was never in power. The king mistrusted him: he was thwarted and thrown out by the privileged Orders, and especially by the bishops. Necker, an able and an honest man, though not a statesman like Turgot, had a similar fate. The two convocations of Notables, in 1787 and 1788, were useless; as were the administrations of Calonne and Loménie de Brienne. The insuperable barriers to reform were always the privileged Orders; and with them the nation was now resolved to deal, driven by hunger and necessity. On April 28, 1789, occurred the first serious riot in Paris; and the States General met on the 5th of May, at Versailles.

The object of the Court was to get supplies from the privileged Orders. To effect this, it doubled the representatives of the Third Order; but it did not take the farther step, which was logical and indispensable, that the three Orders should sit and vote together. After much discussion and many intrigues, the Third Order began business alone. Isolated reformers from the nobles and the clergy joined it; and in the end, the three Orders coalesced, and the reformers were secure of a majority. On the 17th of June, they turned themselves into the National Assembly, by the 23rd they had united and they became henceforth a fairly homogeneous

[1] Debidour, p. 25. [2] Carnot, *Révolution Française*, p. 65.

body, though with many dissentients. These proceedings were most unwelcome to the Court. The sympathies of the king were always with the nobles, and still more with the clergy. In the Queen, he had the worst possible adviser. The bad effects of her temerity and ignorance were aggravated by the insincerity of Louis; and, as we shall see, every act of popular violence was preceded by a royal act of duplicity or folly. It is the custom to defend Louis the Sixteenth by saying he meant well; but he meant far from well, if he be judged, as he must, not only by his policy towards the Revolution, but by his ministerial appointments, and his correspondence with foreign rulers. He was never honest with any of the reformers, using them only as decoys and dupes. He was guilty of treason against the nation, by intriguing with armed enemies. Above all, he was in the hands of the papacy, and of the irreconcilables among his own bishops. His own mendacity, and clerical recklessness, brought him to his fate. Like Charles the First, he was the chief agent in his own execution; and falsehood was the instrument which effected it. Like Charles, also, he might, under normal circumstances, have gone through life as a blameless man, and a comparatively harmless king. It is true that he expiated the sins of his predecessors, and was not responsible for the system which he inherited; but he was responsible, to an unforgivable extent, for the fatal issues of the Revolution.

Events moved quickly during the first months of the National Assembly. Only three days after it assumed that name, royal violence compelled the members to take the solemn oath of the *Jeu de Paume*. Farther coercion led to a defiance of the Crown, and the majority were welded into a compact body, zealous for the welfare of the nation. On July the 11th, Necker was dismissed for the third time, a reactionary Cabinet was appointed, and soldiers threatened the freedom of the Assembly, if not the lives of the members. To these machinations, Paris answered by taking the Bastile, on the memorable 14th of July. Necker was recalled. Louis was reconciled to his capital, in which a municipality was now established, and the National Guard

was enrolled. In historic words, the Revolution had come. 'C'est donc une révolte?' dit Louis XVI. au duc de Liancourt: 'Sire, c'est une révolution'; but so blind was Louis, that the sole entry in his journal for the 14th of July is the word *Rien*:[1] nothing has occurred; yet the capture of the Bastile was a pledge that the nation had thrown down the monarchy of Louis the Fourteenth. Not only France, but all Europe, was filled with joy. 'It is the greatest event in the world,' said Fox; and the French were pleased to think they had laboured for humanity as well as for themselves. The Revolution was inspired by a passion for universal justice, and it produced a wild outburst of charity and fraternity.

The States General contained nominally twelve hundred members, and eleven hundred and ninety-three assembled. There were three hundred each in the First and Second Orders, and six hundred in the Third. Of the nobles, only twenty-eight were of the *robe*: the remainder were all *gentilshommes d'épée*. In the Third Order were two hundred and fifty lawyers, sixty magistrates, about two hundred farmers and traders, eighteen *maires*, sixteen doctors, two ecclesiastics, and eleven nobles. The First Order was represented by forty bishops and thirty-five abbots or canons. The remainder were *curés*. The great body of the *curés*, for reasons which we have explained, wished for reform, and sympathized with those who advocated it. Their active sympathy made the Revolution possible, and frustrated all the reactionary manœuvres of the Court. The *noblesse* were largely Voltairians: that is to say they were deists, but with no prejudice against a reformed and reasonable Christianity, though bitterly opposed to the established, corrupt, and oppressive clericalism, the *Infâme* of their great master. They hoped that 'reform' would mean the abolition of tithe, and that the national credit would be restored by resuming church property. So far, they were eager to go; but, beyond that, their plans and aspirations were divided. Few of them wished to abolish their Order. Many of them were willing

[1] Carnot, *Révolution Française*, p. 59.

to abate its notorious privileges, and to accept a more equitable position in the State. The majority were opposed to all genuine reform at the expense of their Order. Still more irreconcilable were the higher clergy; and their objections were expressed, as always, in the terms of piety. The lower clergy, almost to a man, were with the Third Order, at first. It was only later that in too many of them the ecclesiastic prevailed over the citizen, and their forces were divided. It is not too much to say that the lower clergy saved the State, at the opening of the Revolution; though it must be added that clerical opposition wrecked its fair progress, and provoked its worst violence and tragedy. In the beginning, however, the Revolution was not only Christian but catholic; and the majority in all the Assemblies down to 1794 wished that it should remain so. 'Le Tiers et les curés patriotes marchaient la main dans la main, les églises servaient à des manifestations patriotiques, les premiers autels de la patrie furent des autels catholiques, où on disait la messe.'[1]

It is beyond the scope and the space of this volume to follow the Revolution in detail. The present enquiry must be limited to its connexion with the church. More general questions will only be recorded so far as they are necessary to show a certain relation of cause and effect, which must not be overlooked if the church and the Revolution are to be judged fairly. I desire to show, in the first place, that neither the Revolution nor its leaders were anti-christian, or even anti-clerical. Their deliberate intention was to remove clerical abuses, which were causing the gravest social and political injustice. So far from wishing to destroy or even to dis-establish the church, they aimed at making it more national than it had been, and even more closely identified with the State. They wanted toleration, but no more, for dissenters. There was no question of establishing or subsidizing any religion except that which was recognized in the civil constitution of the clergy. In the second place, I aim at proving that the breach between the clergy and the Revolution was caused entirely by the former; and that

[1] Aulard, *Études*, 5^me^ *Série*, p. 66.

it was their reckless policy which compelled the Revolution to coercive and protective measures. Thirdly, as following from this, it requires no proof, but only a statement of dates and facts, to show that every step towards violence on the revolutionary side was preceded either by a reactionary move of the Court, or by some evident insincerity of the king, or by incitations to civil war and foreign invasion, in both of which the *Émigrés* and their clerical allies were persistently engaged. In other words, besides the Revolution, of which we hear so much, there was a Reaction, of which most English readers have heard too little. If there were a reign of Terror, it was provoked in the beginning by the outrages of the clergy and the royalists, whose crimes and excesses were far worse than is usually imagined; and the fears caused by them were aggravated, not only by the threat, but by the fact, of foreign invasion. In the end, no doubt, the Terror became an orgy of blood, an instrument of plunder and private revenge, a struggle of maddened partizans who were themselves in perpetual fear. A great deal in the reign of Terror cannot be excused, though much of its violence can be explained.

However, we are anticipating evils. At the beginning of the Revolution everything went well. The Assembly, at any rate, was harmonious, and its members could differ with good feeling. It not only produced liberty and inaugurated equality, but nothing was done to disturb that fraternity which was not merely a popular phrase, but a genuine sentiment that for a time united the great majority of the people to one another, and inspired their really marvellous operations of reform. We are still at the 14th of July. Three days after, with many hesitations and much bad counsel, the king went to Paris. 'Henry the Fourth re-conquered his people,' said Mayor Bailly to him, 'now the people have re-conquered their king.' Louis wore the *tricolore*, the new patriotic badge, a blending of the royal white with the now popular blue and red, the old heraldry of Paris. Every one hoped the king had left the reactionaries, and would adhere honestly to the Revolution; but, on that very day, his brothers emi-

grated, accompanied by several bishops and many nobles; and from various parts of France risings and disorders were reported. It should be noted that emigration and rebellion preceded every actual reform. They were an unprovoked attack on the new order, as neither persons nor property had as yet been threatened.

The Assembly began by postulating the Rights of Man. All men are born free, and cannot lose their right: class distinctions are merely conventional. Society is an association to preserve the natural rights of the individual. Sovereignty belongs to the nation, from which all authority is derived and delegated. Individual freedom is only limited by law, that is by the necessary protection and definition of other men's rights and liberties. Law can only forbid what is mischievous to society. Law is an expression of the public will: all citizens have the right to legislate, directly or by their representatives; and also to fulfil public offices, subject to capacity: there must be equality before the law. Legal processes must be according to law. The law must be reasonable, and never retroactive. Every one is innocent until he be proved guilty; arrested persons, therefore, have the right to humane treatment. Religious opinions are free, so long as they do not disturb public order. Freedom to think, speak, and print is one of the most valuable rights of man. Police and armed forces are necessary, but can only be used for the general good. To maintain these forces, an equal tax may be levied. Consent is necessary for the lawful imposing of taxes. All public servants are accountable to the public. Individual property is inviolable, subject always to public necessity, and that must be determined legally, with a due regard for just indemnities. These principles, which no Englishman can reprobate, virtually condemned the whole existing fabric in church and State. The 'Politique tirée de l'Écriture' was not compatible with the Rights of Man. Mankind had developed beyond the crude theocracies of its youth. The Assembly, therefore, went on to abolish all the privileges and abuses of the old *régime*, some of which we have exhibited. The new constitution established a limited

monarchy, with a veto also limited by time and circumstance. There was a single Chamber, which alone could initiate legislation. The nation was to legislate, and the king to administer.

By defining the Rights of Man, and by deducing from them a renewed system of government, the defects of the old system were thrown into high relief; but the inconvenience of reform was also perceived more clearly by those who were interested in continuing the old abuses. From this time onwards, the opposition of the higher clergy begins to harden. 'Why affirm the Rights of Man,' they said, 'since we all know them'; forgetting how this confession stultified themselves. 'The Rights of Man are sacred, *cela va sans dire*': anything to prevent a definition or a promulgation of them, which 'an ignorant people would abuse'; forgetting, again, their own culpability for the popular ignorance. Several reformers, Grégoire, Camus, and Mounier among them, urged that the Rights of Man should be supplemented by an exposition of his Duties, a fact which Carlyle seems to have overlooked. This proposal was rejected, by 570 votes against 433, not because the Assembly was careless about civic and personal duties, but because the motion was being engineered by the prelates so as to cover religious duties, which they said further could apply only to catholicism. There were similar attempts made over the question of religious toleration, and the mention of a Supreme Being in the preamble of the new constitution.[1]

The taking of the Bastile had stirred popular feeling, throughout the country, against the oppressions of feudalism; houses were sacked in many places, charters burnt, and game killed. The nobles, largely through fear, renounced their feudal rights, on the celebrated 4th of August, in hopes of saving the more solid part of their possessions. We must not, however, forget the enthusiasm which the Rights of Man produced, and which fired the whole Assembly. 'Let us bring here,' said one of the Deputies, 'these charters which outrage humanity and modesty, and

[1] Debidour, p. 37.

burn them ourselves on the altar of our country.' Then followed a scene of indescribable emotion. 'Speakers crowded the tribune, each one raising a corner of the dark veil by denouncing an injustice, an abomination, or a scandal. The accusation of the old *régime* was made publicly by witnesses of its abuses; or by those who had enjoyed, but refused any longer to mis-use, them. There was a competition of generosity. One gave up his manorial jurisdiction; another, his sporting monopoly; a third, his rights of warren and dove-cotes.' These renunciations were confined to the Second Order, the *Noblesse*. As the First Order sat in dumb silence, the President said he would be sorry to close the sitting before they had expressed their sentiments. 'This ironical observation forced the clergy to imitate the generosity of the nobles.' Some prelates then spoke, but said more about their *droits seigneuriaux* than their clerical immunities. Many *curés*, however, offered to renounce their pay; but the Assembly refused that sacrifice, though it agreed to redeem the tithes. The enthusiasm spread from the Assembly to the country. Towns, Provinces, and Corporations also renounced their privileges; and the accumulated evils of centuries were swept away in a few hours. Common law and equality replaced feudal oppression and privilege. *Te Deum* was ordered in the churches. Louis was proclaimed the Restorer of French Liberty. Nevertheless, he was writing to one of his arch-bishops, 'I do not give myself up to the delirium which has possessed all the Orders, but which does not affect me. I will never consent to the spoiling of my clergy and nobles. I will never sanction laws that pillage them.' As a matter of fact, he did; but he only yielded to the dangerous temper of the Parisians, on the 23rd of September. Their distrust and irritation, which were due largely to hunger, were aggravated by the proceedings at Versailles, when German and Swiss mercenaries were petted by the queen, and violence was preached openly by the courtiers. On October the 4th and 5th, the starving women of Paris marched to Versailles, and brought the royal family back with them to the Tuileries. Thus the palace of the old monarchy was

stormed, as well as its prison; and though Versailles remains as a national monument, it was never again lived in by a King of France. The monarchy of Louis the Fourteenth had indeed fallen, and his heir was held in captivity by the hated Parisians.

Meanwhile supply was not coming in, and bankruptcy came always nearer. Money had to be produced somehow, and church property seemed the only available and immediate resource. As early as the 6th of August, ten days after the renunciation of privileges, the bishops had tried to undo that infectious generosity, and to delay its consequences. Their manœuvres only re-opened the whole question, and caused it to be debated exhaustively, with disastrous results from the clerical point of view. It had been voted that tithe should be redeemed, while other abuses, the right of *déport*, the *casuel*, pluralities, and annates, were abolished. By asking that the vote should be reconsidered, the prelates re-opened the whole question of tithes, their origin, their validity and nature, their original uses, and the existing mis-use. It was pointed out that, though nominally the tenth, a tithe often rose to a seventh, a sixth, even a third of the cultivator's labour; that it was ruinous to agriculture, and oppressive to the workers. Again, it was urged that tithe had been granted for the subsistence of the clergy, the maintenance of public worship, and the relief of poverty. From all these uses it had been diverted into the pockets of rich pluralists and absentees, of whom the religious houses were among the worst offenders. Only a bare pittance was given to the country *curés* who did the parochial work, and even less to the wretched substitutes of the absent impropriators. From this it followed that the parishioners, who paid tithe ostensibly for the support of their clergy and for church expenses, were burdened still farther by extra payments in order that these obligations might be covered. Looking beyond details, and going back to first principles, the Assembly came gradually to the conclusion that church property was national property; that, when there was a predominant religion, the church was the nation. This was the verdict not of mere laymen and reformers, but of

Bossuet, who said 'J'entends par *Église* toute la société du peuple de Dieu';[1] and, 'The Church of France is the whole body of French believers.' As Mirabeau put it, the *domaines* of the clergy were to a large extent 'property ill-acquired, excessive, badly employed, manifestly diverted from their proper use'. This was in his great speech on bankruptcy; and he concluded, that such goods might be resumed lawfully by the State, in its necessity. It might be shown again, from precedents, that this was no new or revolutionary doctrine, but that the kings had invariably acted on it. To deny this conclusion is to deny sovereignty to the State, to make the State inferior to an ecclesiastical corporation, a part of itself, which can only exist and enjoy property under State protection.

Talleyrand also came forward with a luminous report on the first principles and the financial advantages of the whole measure. He said that the necessities of the country would justify appropriation, subject to a due provision for ministers and public worship. The Assembly discussed the motion from the 10th of October to the 2nd of November, hearing all sides, and looking at it from every point of view. On the 12th of October they made two decisions: that the nation have a right of property in clerical possessions, subject to the maintenance of existing claims; and that this maintenance should be so apportioned that no *curé* is to have less than 1200 *livres* a year, about £100 in our terms and values. This act of justice secured a large number of the parochial clergy, as it about doubled their incomes. The bishops resisted. Their aim was not only to keep the wealth which they enjoyed, but almost more to keep their position. Under the old *régime*, the clergy were an Order, a corporation with vast wealth and privileges, and therefore with great influence. The Revolution would make them individual servants of the State, receiving salaries for services rendered to it. They would be henceforth citizens, instead of belonging as formerly to a clerical State alongside the lay State, in many ways independent of it, and in some ways its master. This, even more than the question of property,

[1] *Sermon sur les devoirs des rois*: 2^me^ *point.*

was at the root of episcopal opposition; but the battle turned on property, and many Deputies, at the beginning not unfriendly to the clergy, and never wavering in their loyalty to religion, were disgusted by the lowering of religious questions into a financial debate. The various arguments may be reduced to two main points: the clergy were not owners of the church property; and therefore no theory which applied to the rights of individual possession and ownership was applicable to them. Secondly, a broad and clear distinction was made between individual ownership and corporate property. It was shown easily that the latter always has stood, and always must stand, in a different position from the former; that corporations can have no existence, no property, no standing, except by the allowance of the State; and that States have always maintained a full right, extending to dissolution and appropriation, of dealing with corporations and their property. In this case of church property, it was a question not so much of appropriation as of resumption; because it was all derived originally from the State or from subjects of the State. It was voted finally on the 2nd of November that the properties of the clergy should be placed at the disposal of the nation. In coming to this decision, the Assembly was following precedents on which the French monarchy had always acted, so far as corporate property was concerned, and the church had never been treated otherwise, in matters of property, than as an ordinary corporation. In the matter of privileges and *status*, the clergy again were in the same position as other Orders and institutions. They had come down from an older world, which was now obsolete. The ecclesiastical fabric was a survival of feudalism, and it was incompatible with that modern society which was being born through Revolution. It might be added that the new society, and all its conceptions, were much nearer to primitive Christianity than was the feudal church system of the middle ages, or its bastard representative, the church of the old *régime*. The Assembly which made these changes was no anti-Christian, or even anti-catholic, body. Anti-clerical it may have been: the French have always been anti-clerical. The influence of

the Philosophers was much less than has been thought. The eighteenth century, more especially in France, was steeped in theology, besotted with it. The quarrels over the bull *Unigenitus* are one proof of this. The animosity against Jansenists and protestants is another. The struggle for and against the Jesuits is a third. These matters filled the whole kingdom with disturbance for about eighty years, to the exclusion of almost everything else. Out of this theological atmosphere, there did not emerge suddenly an Assembly of unbelievers. The abuses of the church inspired the Philosophers, and feathered the arrows of the satirists; but the *cahiers* of all the Orders, and from every part of the country, show that the overwhelming majority were sincere catholics, though also sincere reformers. The Assembly was a fair reflection of the country. The Deputies were thoroughly representative of the nation. The professed enemies of the clergy were very few, and of religion still fewer. The ecclesiastical work of the Assembly was not due to fanaticism, or levity, or innovation. It was due, chiefly, to glaring and intolerable abuses, which were damaging the whole country, and most of all the land. The method of reformation was due, no doubt, to those ideals of social justice, of political freedom, and of reason, which the Philosophers had formulated, and for which the great body of the nation was craving.

The decision about clerical property involved the fate of the religious houses, and their enormous domains. There had long been a wish that the conventual orders should be suppressed. Many of the convents were obviously useless, too many were mis-used, some were decayed and empty, all were unpopular, especially with the parochial clergy, to whom, as always and everywhere, they were causing infinite loss and trouble. The same arguments which applied to the corporate property of the church applied still more to conventual property. The precedents for dealing with it were more numerous and applicable. Though the convents had some friends, no one could defend them without reservations and admissions which were more damaging than the attacks of avowed enemies. A very liberal scale of pensions

was allowed to existing members. Those who re-entered the world received life annuities of 700 to 1000 *livres*, according to age. Those who remained in the cloister were formed into communities of not less than fifteen, and 850 *livres* a year was allowed for the maintenance of each person. All orders which studied, taught, or nursed, were preserved. The others were to die out, as their members passed away. It was decreed, on February 23, 1790, that 'the law no longer recognized monastic vows; but that all orders and religious congregations were suppressed, and were to continue suppressed in France, so that no others might be established in the future.'[1]

It cannot be repeated too often that these opinions, and the acts which resulted from them, were not new. Religious houses were suppressed by the Kings of France and England in the middle ages. Clerical property was discussed freely in our Parliaments during the fourteenth and fifteenth centuries. It was handled freely in the next century. There were many suppressions from the early years of Louis the Fourteenth onwards. Some interesting drafts, of proposed legislation, exist in the hand-writing of d'Argenson, who died in 1721. A clause forbad that any order should allow its members to profess their solemn vows before the age of five-and-twenty. 'Thus the convents would be emptied, and the kingdom re-populated.'[2] Another clause proposed to take away all the feudal rights of ecclesiastics; 'which would have diminished law-suits by a third, protected the poorer laity, and bring the church back to its primitive condition.' These proposals were relinquished at the time, but were taken up again in 1766. In that year Louis the Fifteenth declared that 'innumerable abuses have been introduced into the monasteries and religious orders, which are equally prejudicial to discipline, to the public edification, to the welfare of religion or of the State'.[1] A commission of bishops was appointed, and they delivered their report in 1768. In consequence of it more than a thousand communities were dissolved, and some orders abolished.[3]

[1] Debidour, p. 57. [2] Champion, *Séparation*, p. 39.
[3] Ibid., p. 40.

The commission went on under Louis the Sixteenth. As we have mentioned already, the French Jesuits were suppressed and banished by Louis the Fifteenth, who, in so doing, was executing condemnations of the Society passed by the Sorbonne in 1564, and by an Assembly of the Gallican church in 1561. Pasquier drew up the severe judgment which was adopted by the University: 'The doings of the Jesuits are full of dissimulation and hypocrisy.... Their policy tends to the ruin of the State.... Every good Christian and loyal French citizen would not only refuse to admit the Jesuits into the corporation of our University, but would hold that they should be banished, expelled, and extirpated.'[1]

In 1790, the only clerical persons treated with severity were certain *Émigrés*, who were plotting with foreign armies, and their goods were confiscated. The bishops filled the country with disturbance and revolt by their pastoral letters. As they had failed to hinder the resumption of church property, they tried to depreciate its value, by saying the purchasers had no sound title or any security of tenure. This attempt was foiled through large purchases being effected by various municipalities, and by the State taking over all ecclesiastical debts, so that the property might be free from burden or litigation. On the 9th of April, Chasset presented his report on providing for the clergy and public worship. A sum of 133 millions (about £7,000,000 in current value) was set apart for these purposes, and for pensions. It diminished, naturally, as lives fell in; but the budget of the church amounted to never less than from 85 to 90 millions. It was paid by the treasury, like every other department of the public service. And this is what reactionaries describe as 'plundering the church'.[2] The law was voted on the 14th of April. 'Here ends the first part of the work accomplished by this great assembly in matters ecclesiastical. It was a work entirely negative, in the sense that the Constituents limited themselves to destructive legislation; and entirely political, in the sense that they dealt only with the temporalities of the church.

[1] Champion, *Séparation*, p. 37. [2] Debidour, p. 60.

At the end of one year of revolution, the catholic clergy had ceased to enjoy a monopoly of religion; it no longer had the rights of a privileged Order; it had ceased to be a corporate proprietor: this triple conquest of the nation, achieved in the name of reason and justice, had been entirely bloodless. The Assembly might have been less rigorous and sweeping in its appropriation. In any case it would have been wiser had it restrained its further action, and deferred its reorganization of the ecclesiastical body. But it wished now to re-construct. By entering into a domain not properly its own, it furnished plausible excuses for rebellion to exasperated enemies, who would otherwise have found no one willing to aid them in restoring a *régime* of intolerance and privilege, or in recovering their forfeited possessions; but who were able now to set France in a blaze of civil war, in the name of that spiritual authority which was insulted, as they said, by the new constitution.'[1]

M. Debidour's judgment is, as usual, theoretically sound but church and State had been so inextricably united for many centuries that neither could move in any direction without trespassing into the domain of the other. 'What interminable disputes,' Voltaire says, 'whenever one tries to define the boundary between the civil authority and ecclesiastical proceedings. Where is that boundary?' In marriages, registrations of births and deaths, burials, wills, sicknesses, medical affairs, the clergy had either a monopoly, or innumerable pretexts for interfering. D'Alembert mocked at Parliaments revising theological decisions, and asking the advice of theologians about inoculation for small-pox. The very privileges and rights of the clergy involved the entrance of the State into their affairs, for the protection of property and persons. The *cahiers* show us again that all France was interested in ecclesiastical questions, and that the clergy themselves did not exclude them from the jurisdiction of the national assemblies. The Third Order of Beauvais, for instance, affirmed that 'Religion is undoubtedly the most important of all matters for the general good.... A people without religion becomes very soon a people without morality.'

[1] Debidour, pp. 61-4.

The *noblesse* of Dourdan wished the king should swear to use all his authority to protect the national religion: and it went on to declare that 'the States General were competent in all matters of ecclesiastical discipline, but not in dogmas'.[1] The clergy of Évreux decreed that 'the re-establishment of ecclesiastical discipline is neither indifferent nor alien to the assembly of the nation',[1] and it instructed its deputies to ask the States General for church reforms. The lower clergy complained even more bitterly than the other Orders about the Concordat of Bologna, the exactions of the papal Court, of the bishops, and of the religious orders, and many other abuses, praying for their removal. There was no question, then, of Separation in 1790; and, in legislating for the church, the Assembly was acting as all French governments had done, as the nation still wished and expected them to do, and this expectation was shared by that part of the clergy which was in closest touch with the traditions and aspirations of the people. We may now consider that ecclesiastical constitution which the Assembly formulated in 1790–91.

2. La Constitution Civile du Clergé.

We have come to a subject which impartial writers have misunderstood, by failing to think it out clearly, and which ultramontanes have distorted with more than their habitual cleverness and pertinacity. The Assembly has been misjudged in this part of its work, both by friends and enemies of the Revolution: the former charging it with cowardice and hesitation; the latter accusing it of sacrilege, of spoliation, and of dealing with affairs in which it had no competence. As to the last charge, we have brought evidence to show that the Assembly was not innovating. It did nothing unprecedented, but followed in the ways already prepared by the Kings of France. It is impossible to overstate the jurisdiction claimed and exercised by Louis the

[1] Champion, p. 58.

Fourteenth in all church affairs. At Mazarin's death, he ordered that all such business, which had been transacted by the cardinal, should henceforth be managed by himself. He held that the king personified the State, and was therefore sole proprietor of all national possessions, including church property. He never hesitated to act on these principles. He regulated, and in many cases abolished, the old temporal jurisdiction of the clergy, and assumed their mediaeval prerogatives into his own hands. No bishop could correspond with Rome, except through the king. 'The king is much more head of our church than the Pope,' as Fénelon confessed. This royal supremacy was consecrated by Bossuet in the treatise already mentioned. It was never liked by Rome, and still less approved; but it was admitted in practice, and it led to no charges of heresy or schism. It was not incompatible with orthodoxy, and it did not exclude France from communion with the Apostolic See.

We have already given instances from the *cahiers* of the clergy, that they desired the Assembly to reform in matters ecclesiastical, and they never questioned its competence. These documents might be quoted in scores. From every part of France, the clergy petitioned that the king and the States General should deal with questions of tithe, of re-distributing ecclesiastical property, of suppressing some benefices and changing the administration of others, of re-organizing the clergy, and re-adjusting ecclesiastical boundaries. The clergy of the old *régime* never challenged the competence of the civil power, and they expected the representatives of the nation to remove ecclesiastical abuses.

Another source of mis-understanding has arisen because both the nature and the intentions of the Assembly have been examined loosely. It has been called godless, or anti-christian; whereas, in fact, the great majority were sincere catholics. Again, the *Constitution Civile* has been described as due to Jansenists; but it had nothing to do with the controversies between Jansenists and the opponents of Jansenism. Certainly it was Gallican; but the whole church

of France was Gallican, as against ultramontanism. It was merely a device of reactionaries, and it has since become a necessity for ultramontanes, to distort the truth, and to libel the representatives of historical French catholicism as Jansenists. Most English writers have not grasped the elementary fact that, though the French were catholics, they were not papists. The catholicism of old France is incompatible with the ultramontanism, the Vaticanism, which passes for catholicism at present.

Further, the Assembly did not intend to separate the church from the State. No one in those days, not even the Philosophers, had ventured on such a notion as practicable; though isolated thinkers, here and there, may have foreseen it as desirable and inevitable. 'The Constituents were as little able to decree Separation as to light their sittings with electricity.'[1] Separation was not thought of either by the deputies or their electors; so we cannot blame them for not effecting it. The notion was only reached gradually, unwillingly, after sad experience, when papal and episcopal intractability had made a breach between the Revolution and the church. The Constituent Assembly did not go farther than a passive toleration. Opinion was to be free under the new *régime*, subject to the requirements of law and order; but toleration did not imply the equality of all religions, or the state recognition of any religion except that one which was professed by the nation as a whole. The Assembly desired to make the State religion more national than it had been, if that were possible. 'If the State severed the ancient relations between the church and itself, it must, to a large extent, leave the church to manage its own affairs,' says Dean Kitchin;[2] but that severance is just what the State did not intend, and still less did the church desire it. The State intended to reform the church, and to abolish the papal institution of bishops which was only introduced by Francis the First, but it did not wish to sever the connexion. It intended to do precisely what Henry the Eighth did, *plus* toleration for non-conformists.

[1] Champion, p. 123.

[2] *Encycl. Brit.* ix. 601.

So far the world had moved in two centuries, but not farther.

Having dealt with the initial errors and confusions which adhere to this subject, and which theological controversy has aggravated, we may pass on to the Constitution itself. An ecclesiastical commission of fifteen members had been appointed in August 1789; and fifteen more were added in February 1790, when the Assembly was confronted by the church problem. Of the new fifteen, seven were clerics and eight were canon lawyers. Out of the thirty, ten were clergymen. There were no *Philosophes* on the commission. All the members were catholics. There was a minority of ultramontanes, but they were a minority in the church and the country. The Gallican majority had no wish to do anything contrary to the catholic faith, as it had been held and practised in France. The commission was fairly representative of the nation; if it erred, it was in being too clerical. By the very title of their report, the *Civil* Constitution of the Clergy, they showed that they had no desire to touch spiritual matters, but that their only aim was to regulate, on behalf of the nation, the relations between the clergy and the lay authorities; to bring the church into harmony with the new institutions. For the commission, as for the whole Assembly, their reforms were concerned only with temporalities. Neither religion nor theology was in question. It was both the right and the duty of the State to deal with all matters of discipline and funds. In the opinion of all schools in those days of unbelievers as of believers, religion was a public service, which the State must administer, under legal sanction. The system and the whole spirit of the old *régime* implied this. The principle was inherent in those privileges which the clergy had enjoyed. 'Qui dit protection, dit contrôle, et jusqu'à un certain point direction.'[1] Voltaire had said 'Le Prince doit être maître absolu de toute la police ecclésiastique, sans aucune restriction';[2] and in his Philosophical Dictionary he goes more into detail, applying his principle to all

[1] Debidour, p. 64.

[2] *La Voix du Sage.*

matters of public worship.[1] The Assembly did not perceive, as yet, that the Declaration of Rights, by its admission of tolerance, involved logical changes in the older theory. What I wish to establish is that the Assembly was following French precedents; that representatives of old France, differing as widely in many ways as Voltaire and Bossuet, were agreed about the relations which had existed, and should exist, between church and State. It might be added, farther, that no one who accepts the legislation of Henry the Eighth and Elizabeth has a right to object to anything in the Civil Constitution of the Clergy.

The Assembly, it may be, did not recognize that over and above matters of dogma and matters of discipline, which can be separated, there are *matières mixtes*, half spiritual, half temporal, which cannot be wholly disentangled; and that, theoretically, it would have been better to come to an agreement about them with the ecclesiastical authorities before legislating definitely; but there were insuperable difficulties, which made that solution impracticable. Many of the bishops were *Émigrés*: most of them were hostile to the Revolution. The *Émigré* bishops were plotting with foreign armies, or intriguing at Rome. Those who remained in France were stirring up revolts and inciting the populace to civil war. By pastorals and newspapers, they fomented trouble. They paid and encouraged mob violence. Processions were organized, and pilgrimages revived. Religion was described as persecuted; and the king, as a martyr. Miracles were not omitted: weeping virgins and winking Christs expressed their disgust at the Revolution, or their sorrow at the destruction of the old *régime*. 'On embrigadait les mendiants et les vagabonds.' Massacre was preached, and battle waged. Three hundred persons were killed in a three days' combat among the streets of Nîmes.[2]

Above all, it was against every precedent, and a violation of the Gallican principles, to settle national affairs by means of the Pope. The French never have allowed, and probably never will allow, foreign interference about the details of their national affairs. The supporters of the Constitution

[1] Art. *Droit canonique*.

[2] Debidour, p. 67.

asked if the Pope could be anything more in the eyes of Frenchmen than bishop of Rome:[1] that is, according to Gallican principles, they acknowledged his primacy, but would not admit his jurisdiction into France. Besides, Pius the Sixth had already shown himself implacable towards the changes in France, before the Revolution had shown any hostility to the church. He was as hostile to the Revolution as were the French bishops. There was no issue this way, and no help to be expected from either papal or episcopal authority. The Assembly alone had to legislate for the country in the externals of religion. Every Anglican must allow that its action was both excellent and lawful.

The *Constitution* was presented by Martineau, its reporter, on the 29th of May, 1790, and was debated for many weeks. Some of the reactionaries moved that it should be referred to a national synod; others, that negotiations should be opened with Rome. The Assembly rejected both proposals, and considered the measure until the 12th of July, when it was adopted, as an organic law of the new constitution. It was amended in detail until the 24th of August; but few changes were made in Martineau's report, except to ensure that the national church should be administered independently of Rome. The document was arranged under four heads. The first is entitled '*Des Offices Ecclésiastiques*'. Article 1 ordains that each Department shall form a single diocese, and each diocese shall coincide with a Department. The episcopal cities of the 83 Departments are enumerated in Article 2. All other bishoprics are suppressed. The title of arch-bishop is abolished; but, instead, ten metropolitan areas were organized, of which the capitals were Rouen, Rheims, Besançon, Rennes, Paris, Bourges, Bordeaux, Toulouse, Aix, Lyon. Article 3 enumerates the dioceses which are subordinated to each metropolis, giving an average of eight Departments to every metropolitan area. Article 4 says 'Il est défendu à toute église ou paroisse de France, et à tout citoyen français, de reconnaître en aucun cas et sous quelque prétexte que ce soit l'autorité d'un évêque

[1] Briand, *Rapport*, p. 45.

ordinaire ou métropolitain dont le siège serait établi sous la domination d'une puissance étrangère, ni celle de ses délégués, résidant en France ou ailleurs; le tout sans préjudice de l'unité de foi et de la communion qui sera entretenue avec le chef visible de l'Église universelle, ainsi qu'il sera dit ci-après'. This Article did not apply exclusively to the Pope. There was much confusion among the old dioceses, which had not been altered with political changes. Some French parishes were in foreign dioceses, and thus foreign bishops were exercising jurisdiction in France. Article 5: The only appeal from the bishop and his synod shall be to the metropolitan. The remaining Articles of the first Head or Chapter may be condensed. In each diocese the cathedral is also a parish church, of which the bishop is *curé*, assisted by *vicaires* who with the superior and the three professors of the seminary shall form his council, without which he cannot act. Every town of less than 6,000 inhabitants shall form one parish. In the country, the bishops and the Departmental authorities shall re-arrange the parishes. All offices and titles except those of bishops and *curés* are abolished.

The Second Chapter, on the '*Nomination aux Bénéfices*', ordered that popular election should be the sole method of appointment for bishops and *curés*. The election of bishops is to be on the same basis as for the Departmental councils. It must take place on Sunday, in the principal church of the Department, after mass, at which all the electors must be present. Only *curés* of fifteen years' standing in the active ministry are eligible. The king must be notified of the election. Within a month the elected bishop must come to his metropolitan, or to the senior bishop of the metropolitan area, for confirmation. He is then instituted if his faith and morals be satisfactory. Article 18: 'L'évêque à qui la confirmation sera demandée ne pourra exiger de l'élu d'autre serment sinon qu'il fait profession de la religion catholique, apostolique et romaine.' Article 19: 'Le nouvel évêque ne pourra s'adresser au pape pour en obtenir aucune confirmation; mais il lui écrira comme au chef visible de l'Église universelle, en témoignage de l'unité de la foi et de

la communion qu'il doit entretenir avec lui.' The rule for consecration is similar to the Articles about election and confirmation. The consecrator is the metropolitan or the senior bishop, assisted by the two nearest bishops of the metropolitan area. Before consecration, the bishop must swear fidelity to his pastoral duty and to the laws. The bishop may choose his cathedral *vicaires* from the diocese, but his choice is limited to priests with ten years of service. He can only remove them with the assent of his council. *Curés* are to be elected on the basis of the *commune* or administrative district, and with the same procedure as for bishops. Only priests with five years' service are eligible. Institution must be by the bishop, after the due safeguards and formalities. *Curés* must take the same oath as the bishops. *Curés* may choose their *vicaires*, but only from the diocesan clergy. They can only remove them 'pour les causes légitimes', approved as such by the bishop and his council. In other words, popular election for responsible office; choice by superiors of subordinates, but with due protection for the latter after the choice has been made.

Chapter Three deals with the salaries of ministers. Their support is undertaken by the nation. They are also provided with lodging. The bishop of Paris is paid 50,000 *livres*. In towns of fifty thousand people, and over, the bishop has 20,000 *livres*. Other bishops have 12,000. *Curés* in Paris get 6,000; in towns of fifty thousand people, and over, they receive 4,000; in towns over ten thousand, 3,000 *livres*; and so on in a graduated scale, measured by population, down to 1,200 *livres*, which is the lowest salary for a *curé*. *Vicaires* range from 2,400 *livres* to 700. The cathedral *vicaires* get from 6,000, in Paris, to a couple of thousand in towns of less than 50,000 persons. Salaries are payable quarterly, and in advance. There is no recovery against a cleric or his heirs if he die or resign before the end of a quarter. During vacancies, salaries are paid into a common fund, to provide pensions. *Curés* who are incapacitated by age or illness may either have an extra *vicaire* at the legal salary, or take that salary as a life pension. Chaplains, almoners, the officials of seminaries,

and other non-parochial workers, may draw a pension of 800 *livres*.

The last Chapter enforces clerical residence; a matter which had been scandalously neglected under the old *régime*.

A farther decree was passed, supplementing the Constitution, and providing for all those who were dispossessed by the new laws, or the re-arrangement of dioceses and parishes. Bishops whose former revenues had exceeded 12,000 *livres* received half their income, up to 30,000. *Curés* had the same terms up to 6,000. Former *abbés*, canons and priors received pensions varying from 1,000 to 6,000 *livres*. 'The nation thus behaved royally to the *personnel* of the old *régime*, for which it had no farther use, and which had so long outraged the misery of the people by its luxury and idleness. It believed it had earned a right to expect some recognition for its moderation and generosity.'[1]

It may now be helpful to give the *Instruction* which was issued with the Constitution, as it explains clearly the intentions of the legislators and the limits within which they recognized their lawful competence.

'The representatives of the French people, attached firmly to the religion of their ancestors, to that catholic church of which the Pope is visible head on earth, have put in the first place among the expenses of the State that which is due to its ministry and worship. They have respected its dogmas, and assured a continuance of their teaching. Convinced that the catholic faith and doctrines are derived from an authority superior to man, they know it is not in their power to tamper with them, nor to innovate in what is wholly spiritual. They know that God himself has established that faith, and commissioned his pastors, for the guidance of souls, to give that help which religion assures to men, to continue the succession of the ministry, to illuminate and guide human consciences.

'But while the National Assembly is penetrated with these great truths, to which it has done formal homage whenever they have been mentioned within it, the Constitution which

[1] Debidour, p. 75.

the people has demanded requires the promulgation of new laws about the civil *status* of the clergy. It is therefore necessary to settle their external and material relations with the political institutions of the country.'[1]

And then the document goes on to explain that in a new order of equality, justice, and the public advantage, it was necessary to suppress many privileges and abuses, to suppress many obsolete and useless offices, and equally necessary to establish election and free discussion as the bases of the new Constitution.

Such is the famous Civil Constitution of the Clergy, as it left the hands of the Assembly to be worked out in practice. Few measures, even in the sphere of theological disputes, have been so fiercely attacked or so feebly defended. From Anglican attacks, it has the best right to be immune; for it does not differ from our own establishment in principle; and such differences as there are in detail seem to me wholly in favour of the French solution of the interminable controversies between church and State, at any rate in the present conditions of the modern world. Instead of being nominated by the Crown, as with us, the French bishops were to be elected; in parochial appointments, election takes the place of royal and private patronage. Promotion was to be by merit, judged from the length and quality of service. The junior clergy were chosen by their superiors, but were only removable after due consideration and a fair judgment. Both parishioners and ministers were protected in this delicate matter. It was intended, wisely and properly, that the cathedrals should attract and secure the superior clergy in each diocese. The same wise provision was made for the teaching staff of the seminaries. The abuses of the old *régime*, both in France and England, justify the limitation of a bishop's personal authority by an experienced board of councillors. The exposures and animadversions of our own late Royal Commission show that the need of advice and control did not end with the old *régime*. They were never more wanted than in these days of increasing prelacy. Finally, the *Constitution Civile* provided a fair and

[1] Aulard, *Études*, 5^me^ *série*, p. 68.

sufficient scheme of pensions for retirement through old age or sickness. The legislation of the Assembly would have secured competent and efficient ministers, besides protecting the interests of both clergy and people.

The English church has always boasted that it is 'primitive'; but in many essential points the church of France, as re-organized by the Revolution, had a better right to that misused epithet. It shows a symmetry of organization and an equity of administration to which we can lay no claim. The renewed French church was perfectly adapted to the institutions and principles of the renewed society; and it was organized, with equity and logic, for the existing needs of the population. In both of these matters, our own church leaves very much to be desired; and whenever it has acted, it has been behind the times. Its diocesan and parochial organization are never adapted quickly enough to actual circumstances; and the whole machinery of the church is unsuited to modern methods and aspirations. It is an English habit to decry French legislation as theoretical, or unpractical; but the National Assembly devised a church more primitive in many ways than any now existing, and thoroughly adapted to the existing wishes and institutions of their country. They knew how to retain, and even to revive, ancient customs without binding their church hand and foot in the fetters of an obsolete legalism, or keeping its eyes fixed on a past which never can be revived and is inevitably mis-conceived.

With regard to the Pope, the Civil Constitution would not recognize any papal jurisdiction in France, though it secured courteous relations with the Roman patriarch, and a formal communion with him as the bond of unity among the churches. Here, again, it approached nearer than we do to customs and traditions which are so early that it is pedantic to ignore them. It was thoroughly sound both in what it allowed to the Apostolic See, and in what it withheld from the papal *Curia*. Besides being primitive again in this matter, it was thoroughly Gallican.

As we have seen, the institution of French bishops by the Pope was an innovation, secured by Leo the Tenth in the

Concordat of Bologna. In other ways, the *Constitution Civile* did not go beyond the practice of the monarchy during the seventeenth and eighteenth centuries. Saint-Simon, who knew the old administration, says 'It was never allowed that any bishop or ecclesiastic should write about any matter to the Court of Rome, nor receive letters from it, without express leave of the King in each instance; and the Secretary of State for foreign affairs must always see the correspondence, and be in a position to comment on it. Otherwise, correspondence with Rome was criminal';[1] so jealous was France of papal encroachment, and so carefully had the Vatican to be watched.

The ultramontanes of 1790, like the ultramontanes of to-day, revile the Constitution. The *Émigré* bishops and the suppressed dignitaries relied on the Vatican to combat, and if possible to undo, the Revolution. Their reasons explain themselves. Modern ultramontanes are forced to dislike the Constitution, because it stultifies their present positions and beliefs. So also does Gallicanism. They write, always, as though Gallicanism had been an innovation upon a pre-existing ultramontanism; whereas the precise contrary is true. The papal claims and jurisdiction have grown continually. They are the innovation. Gallicanism bears witness to a church system which preceded them, and which was gradually disintegrated by the papacy and its instruments the religious orders. There was no doubt in the mind of old France as to its relations with the papacy. 'The French nation has not broken the bonds which held it a captive in its own territory only to submit itself after all to a foreign power. Has it only raised its head above other nations in order to cringe before the bishop of Rome? And our church, which is glorious for having always maintained its liberties against ultramontane encroachments, is it going to lose that freedom at the very moment when the nation has vindicated its liberties? Our fathers have the glory of preserving some relics of liberty in the Gallican church; and we, are we to abandon these liberties by declaring we can accomplish nothing valid or good except by leave of the

[1] Quoted by Champion, p. 142.

Pope? . . . If the Assembly should ask for the papal assent, or should recognize the necessity of doing so, it would strike a mortal blow at the freedom of the Gallican church.'[1] So Camus spoke in the Assembly, in November 1790. He bears witness to the past, and was a true prophet of the future. The Concordat of Napoleon, which only differed in principle from the *Constitution Civile* by admitting the papal jurisdiction, has led to an utter destruction of the Gallican liberties, as the old *régime* had received them and handed them on.

Firm as the Assembly was in maintaining the immemorial positions against the papacy, it was equally firm in preserving the historical catholicism of the French people. So far from being irreverent or reckless innovators, the Constituents might have been a society of ecclesiologists. They clung to antiquity with a nervous fear, and were almost as timid as an English Convocation. 'Assuredly they sometimes relied upon strange authorities. It makes us impatient when we hear them chatter without ceasing of what was done among the African churches of the fourth and fifth centuries; when we find them discussing the jurisdiction of the Patriarch of Alexandria; or founding arguments on the legend that Peter (*sic*) presided over a council in Jerusalem. We forget that this dubious or spurious erudition, that these dissertations so tedious to ourselves, were not out of harmony with the cause which they had to defend. It was necessary they should prove they were not falling into heresy: Hence their tenacity in searching for examples out of a distant antiquity, in establishing precedents, in showing that they were only reviving usages which were practised formerly, and consecrated by high authorities."[2] As Martineau said, in his report, 'The catholic, apostolic and Roman religion is unalterable. It cannot change its rules of faith. If it require the pruning hand of legislation, it can only be for its external discipline; and even in this your Committee does not take upon itself to innovate. Its plan of reformation consists only in returning to the discipline of the primitive church.'

This was the temper, and these were the utterances of the

[1] Champion, p. 8. [2] Ibid., p. 138.

Assembly which drew up the Civil Constitution of the Clergy. From an Anglican point of view, they are irreproachable. I have proved, surely, that the Assembly was not violent or Jacobinical in its proceedings. Neither can it be described truly as Jansenist. It made a logical application of those principles by which the Gallican church had been administered for many centuries. To sum up shortly, it effected a piece of legislation in complete agreement with the national traditions, and equally well adapted to the necessities of the time. It substituted a body of clergy, well paid by the State, and chosen so far as possible fairly, for 'une collectivité d'hommes vivant du commerce de leurs croyances'.[1] It is undeniable that the Constitution improved the whole state of the parochial clergy. It gave them adequate pay; it ensured them a sufficient pension; it secured them a fair chance in their profession. The bishoprics were no longer the monopoly of nobles, but were open to merit. In spite of all these advantages, and of its theoretical soundness, the Constitution was a miserable failure.

The fault was not with the Constitution itself, nor with the clergy who accepted it, nor with the majority of the nation, but with the old episcopate directly, with their dupe the king and their tool the Pope indirectly, with those among the lower clergy whom they were able in the long run to frighten, and with such of the people as they managed by all these influences to deceive. The Assembly hoped it had made a concordat between catholicism and liberty. In July 1790, it celebrated the feast of the Federation, when Talleyrand and three hundred clergy prayed before the altar of patriotism for the blessing of heaven on the constitutional work of the Revolution. The King, the Deputies, the National Guards, all Paris, and the whole of France by its representatives, were present. On that happy day 'one might imagine for a passing hour that the old *régime* had abandoned its regrets and laid aside its bitterness. A breath of fraternity passed through the multitudes: but it passed, merely; and the celebration of national concord was hardly finished when there broke out in all quarters that inexpiable

[1] Briand, *Rapport*, p. 42.

war of which even the remembrance, after a whole century is told, still inflames French hearts with anger, controversy, and hatred'.[1]

The re-constituted church was more successful and popular at first than is usually supposed. Only five bishops encouraged it out of one hundred and thirty-five; but the prelates were nobles as well as ecclesiastics, and they were opposed to everything done by the Revolution. Their class prejudices were aggravated by their personal losses as feudal and ecclesiastical dignitaries. Of the lower clergy, a considerable majority accepted the constitution at first, and began to work under it. The great bulk of the population was friendly and satisfied, until they were incited to rebellion. It was not long before troubles were produced. There were disputes between the clergy who repudiated the Constitution, and the new *intruded* clergy, as they were called, who accepted it; and these clerical disputes soon caused factions and riots among their various partizans. Even more obstinate was the resistance of the old bishops, who ignored the law, and continued to act in their former dioceses. In November, the Assembly ordered that all clergy among its members should take an oath of civic obedience, and in January 1791 the oath was required from ecclesiastics throughout France. This oath is generally described as an acknowledgement of the Civil Constitution, and it was so mis-represented by the reactionaries. 'Le serment des prêtres n'est que le serment civique. C'est ce serment qui contre l'attente des législateurs est devenu le prétexte des troubles.'[2] The country was divided between those who took the oath, and those who refused; or, if we may borrow a term from our own Revolution, into Jurors and Non-Jurors.

Except by partizans of reaction, no harm was suspected at first in the civic oath. M. Émery, whose honesty is beyond suspicion, went into the whole question with the staff of Saint-Sulpice. He examined ministers and deputies about their intention when framing the law. He concluded the

[1] Debidour, p. 76.

[2] Champion, pp. 164, 165.

oath was lawful, and took it.[1] His example was followed by most of the Parisian clergy. It was so difficult to say what was unorthodox in the oath, that Maury has to confess 'its perfidy is evident, since it seduces even the elect'. Like the errors in Quesnel's book, its heresy was intangible to experts, and quite invisible to lay observers.

3. The Counter-Revolution.

There can be no doubt that the Revolution intended to be Christian, and that its moving spirits never suspected there would be any quarrel between religion and liberty. It is indisputable, in my opinion, that France wanted both the Revolution and religion. Even when there was war between them, the great mass of Frenchmen would not recognize their incompatibility, and clung obstinately to both.

We have now to examine that warfare, and if possible to explain its real causes. As the Reformation produced a counter-Reformation, which was unscrupulous in its methods and murderous in its results, so the Revolution led to a counter-Revolution, which is chiefly responsible for the Terror and all the other excesses with which the movement of 1789 has been, and still is, so unjustly, charged. We are justified in holding, with the best authorities, that the alliance between the Third Order and the lower clergy made the Revolution possible. A similar impartiality forces us to say that an alliance between the *Émigré* nobles and the higher clergy fomented and organized the counter-Revolution. The parties to this alliance were all aristocrats, with the natural prejudices of their class, and irritated by what they held to be injustice and spoliation. Into the merits of that question, we need not enter. Perhaps our sketch of the old *régime* is a sufficient apology for the Revolution. For my own part, I acknowledge frankly that I hold with the Roman lawyers, when they pronounce the salvation of the State supreme over all ordinary law. The

[1] Champion, p. 160.

French State was manifestly foundering. It was overweighted and top-heavy with those privileged Orders who had for too long enjoyed the spoils of their country. If there be any question of restitution or compensation, it is owing not to but from those who had exhausted the prosperity as well as the patience of the nation. By their sacerdotal character, which gave them so many opportunities of influence and mischief, those nobles who were also ecclesiastics were able not only to rouse the French population in many districts, but to utilize the Vatican, and all its influence abroad, in their crusade against French liberties.

Trouble had been brewing for a long while. The Emigration began in July 1789, before any property or privilege had been touched. From that time onwards, foreign governments were incited against France, and the bishops excited popular feeling in the country. The king, unfortunately, lent his ear to the reaction, while professing to accept the Revolution. He went so far in his dalliance with armed foreign intervention, that he cannot be absolved from treachery to France. As the French army was officered and administered solely by nobles, who were all hostile to the Revolution, it is not surprising that the rank and file mis-trusted their officers, and that the patriots had every cause to mis-trust the army as an instrument of royalty and reaction. This feeling was aggravated by the employment of Swiss and German mercenaries about the person of the king. If Louis cannot be absolved from treason against his country, he could, alas, be absolved far too easily from his engagements to the nation. That odious and perfidious weapon, which destroys all public morality and personal confidence, was utilized by the reactionary bishops. They persuaded the dull and timid mind of Louis that he might promise anything to save himself in his necessities, and that their absolution would loose him from his obligations. In a letter dated September 1792, the writer says 'The king would not have dared to break his word, if the clergy had not assured him of pardon and absolution. The nobles would not have gone crusading, if the clergy had not

preached a crusade. The Prussians and Austrians would not have attacked us if they had not known that we were divided into factions by the priests.'[1] Such were the tactics of the reactionaries with the unfortunate king. They did not hesitate to bring forward violent and irritating proposals in the Assembly, so that the Revolution might be discredited. Writings might be quoted in which reactionaries boasted that they had incited the Jacobins, impeded the moderates, and urged the Revolution to extremes.[1] One of these writers admits that everything possible had been done by intrigues and plots, and calumnies, and bribes, to cause atrocities and crimes of every sort.[1] He thinks 'there may be some exaggeration when these boasters assert that by means of foreign gold they secured the death of Louis, so that the Revolution might perish with him.'[1] Similar accusations were made openly in the Parliaments of Louis Philippe, when people were discussing the crimes and follies of the Restoration; and they are recorded in memoirs and writings of that time. The Duke Decazes says 'The Royalists might have saved French royalty, if they had defended it honestly, instead of trying to find a desperate remedy by aggravating revolutionary excesses.'[1] The Count of Lanjuinais wrote 'Horrible violences, massacres, proscriptions, pillage have soiled our records. We have experienced revolutionary and anti-revolutionary crimes, caused often, both one and the other, by the methods of the counter-Revolution. We have seen the wars, as much political as religious, in *La Vendée*, and among the *Chouans*; and assassinations organized, sometimes for theological pretexts, sometimes for the legitimist cause, throughout nearly all the south.'[1] Saint-Just and Condorcet bring the same accusations against the clericals. 'You commit atrocities to accuse the Revolution of them.'[2] 'Do you dare say you have not yourselves contributed by your gold and your intrigues to the continuance of these disorders and crimes against which you are protesting with an hypocritical philanthropy?'[2] Even Mallet du Pan confessed that the Revolution owed a large part of its horrors 'to the *Émigrés*,

[1] Champion, pp. 245, 220, 217. [2] Ibid., pp. 219, 220.

to the alliance of royalists and foreigners, to the threats and promises of pamphleteers'.[1] Montlosier asserted 'that the worst enemies of royalty were the royalists, and that everything was wrecked by them during the Revolution'.[1]

Foreign invasions and royalist plots were the business of the nobles. The old clergy managed the religious troubles. For these, the Civil Constitution was an obvious pretext. The civic oath was described as a betrayal of the church. The clergy who took it were blackened in their characters, and decried in the office. Their masses were said to be heretical, and their sacraments invalid. Thousands of marriages were libelled as concubinage. Since all registrations were still in the hands of the clergy, they were able to disturb the peace of families all over the country. The non-juring clergy posed as martyrs, while constitutional clergy were apostates and criminals. The State was wonderfully patient. It continued the salaries and pensions of the recalcitrant. Though it suppressed disorder, it allowed the non-jurors to say mass in the churches. Provided the building were marked by an inscription, to distinguish it from a State church, it allowed congregations to attend the services of the dissentients. Both sides waited anxiously for the Pope to declare himself, but Pius the Sixth would not be hurried. His caution was not due to spiritual anxieties, but to the much graver question of Avignon and the Venaissin, two provinces of the Papal States which were on the French border. In both of them, the papal rule was hated, the Revolution was infectious, and the people wished to benefit by the French liberties. Pius was eager to oblige the king, he was hard pressed by the *Émigrés* in Rome, and still harder by the militant bishops in France, but he dared not risk Avignon by angering the National Assembly. He practised a good deal of that duplicity which he condoned in Louis the Sixteenth. Nor was his double dealing limited to French matters and the hazardous problems of the Revolution.

Pius the Sixth had been elected in February, 1775, to

[1] Champion, pp. 219, 220.

succeed Clement the Fourteenth. The absorbing question at that time was the suppressed Society of Jesus and its imprisoned General. The Bourbon governments wanted a Pope who would confirm and continue the suppression. The Jesuit faction were strong enough to exclude a declared enemy; and Cardinal Braschi, though a *Zelante*, was thought to be fairly moderate and reasonable, so he was accepted by the Bourbon Courts, and chosen by the conclave.

Cardinal de Luynes, in announcing the election to Louis the Sixteenth, described Braschi as 'Born of an old noble family established at Cesena, a town of the Romagna. He is the last of his name; thus there is no nepotism to be feared. He is edifying in life and manners. He has aimed at getting the requisite knowledge to govern well. . . . He is not yet a bishop.'[1] Bernis adds to the dispatch, more cautiously, 'The reign of the new Pope will show whether, before his election, we saw his face or his mask.'[2] Pius had a beautiful face, but he always wore a mask. He was never sincere. He played a double game over the Jesuits: pretending to keep them suppressed in catholic countries, to please the Bourbons, while recognizing them in Russia and Prussia; and explaining away in private his own public utterances.[3] Louis the Sixteenth could not have had a more unfortunate adviser, or a worse example. Pius was eminently fitted to be an accomplice or a tool of the counter-Revolution.

Masson describes him at greater length than Bernis. 'John-Angel Braschi was only fifty-seven and a few months when he was raised to the pontifical throne. He is tall, robust, and in perfect health. His head is fine, his bearing stately, the movements of his body leisured and almost rhythmical. His morals are irreproachable, and his diet moderately frugal: his vices are not there. His weakness

[1] Masson, *Le Card. Bernis*, 1758-94, p. 314.

[2] Ibid.

[3] Nielsen, *Hist. of Papacy*, vol. i, chap. vii. In the description of Pius, Dr. Nielsen might have indicated that he was making a very free use of Masson's text, which he professes to quote.

is vanity. He desires and longs to be admired. To display his pontifical grace in ceremonials, to exhibit himself to the Romans and to foreigners in all his glory as Christ's Vicar, to delight them by his facile motions, and charm them by his clear ringing voice, to entrance them by the beauty of his face, to act the Pope as other princes play at royalty, *voilà son goût dominant.* He is a dandy, but with a papal dandyism: a dandy over his baldness, and his long, white, silky hair, which rolls backwards on each side from his temples; a dandy in his pontifical dress, which he arranges with minute care, and always raises a little to show his well turned leg.

'He revels in laudatory inscriptions, multiplies objects on which he may carve his titles, and undertakings to immortalize his reign. He believes himself a great architect, a great engineer, a great connoisseur and patron of arts and letters. He emulates Leo the Tenth and even Julius the Second. With what, indeed, does he not flatter and enjoy himself, *ce glorieux*? He was not even satisfied with his ancestral coat, but has assumed a new and almost prophetical blazon.'[1] But what lover of Rome is not indulgent and even grateful to the kindly arms of Pius the Sixth: three stars in heaven, a little boy with rosy cheeks blowing a silver north wind out of a silver cloud on to a white and bowing lily. How numberless and *naïve* are the inscriptions *Munificentiâ Pii Sexti*, on great things and on small. Nothing was forgotten by his paternal and sanitary care. He inscribed the very farms and vineyards where he deigned to alight and taste wine, as the labouring horses conveyed him in state from the Ponte Molle over the heights of Monte Mario. And some of his achievements are really fine. To him we owe the symmetrical and charming sacristy of Saint Peter's, a necessary tribute from the eighteenth century to complete the greatest of modern buildings; and the long galleries of the Museo Pio-Clementino, populated with shining Gods, and the little court-yard of the Belvedere, the vestibule of Apollo, with its bath of gold and purple fish.

[1] Masson, *Bernis*, pp. 319-20.

Peregrinus apostolicus was the doom which fell to him in Malachy's mystic roll: the wandering apostle. The storm of the Revolution caught him, and whirled him away from his exquisite Rome, northwards over the Alps to Valence, where he died in exile. By leave of Napoleon he was carried back, and deposited in Saint Peter's. His figure by Canova kneels at the entrance to the Confession, *ad limina apostolorum*, where Pius occupies the most favoured place. His wanderings led him nearer than any other Pope to the apostles' shrine. And the statue itself is Pius to the life. It gives us back his curls, and his model hands, and his careful draperies which suggest his undulating grace. The marble assures us of his beauty, as we look at the benignant features; and by some wonderful subtilty it has caught the pontifical satisfaction which lingers evermore in the face of Pius, as he enjoys his statue, and flatters himself on its coveted position. And so he kneels through the centuries, among the votive lamps and the choicest marbles, in the shadow of Bernini's canopy, right under the stupendous dome, acting the devotional Pope, a mark or symbolic figure of the papacy, as the devout conceive it, and in the attitude which its adversaries have experienced as its most dangerous weapon. No wonder he is satisfied, *ce glorieux*; occupying the place which belongs of right to Julius the Second, to which the magnificent Borghese and Barberini Popes have a better claim; and symbolizing in that comely form of his, which he loved so well, the finer spirit of the papacy. He was the last of those comfortable and easy-going Popes whose charm lingers about the eighteenth century monuments of Rome, and whose pretty human world can never die so long as the industry and genius of Piranesi are discernible.

In dealing with the Revolution, Pius was a failure, from every point of view. His duplicity was helpless before the uncompromising and irresistible facts. A strong Pope might have rallied the counter-Revolution effectively, and have led the coalition of sovereigns and vested interests. A really able and honest Pope might have come to a workable agreement with the Revolution, which would have been grateful

for help and ballast. For the former policy, courage was necessary, and of that Pius had little; for the latter, honesty was indispensable, and in this he was entirely wanting. He is responsible, to a very large extent, for the fate of the king, for the activity and violence of the reactionaries, and so for the excesses of the revolutionary factions. Pius had condemned the principles of the Revolution as early as March 1790, when he made an allocution; and though this was not issued as an official document, its contents were published. Its only effect was to inflame and stiffen the reactionaries. The attitude of the papacy towards popular liberties is instructive; and the general principles expressed in the allocution preceded the publication of the *Constitution Civile*. The Pope 'not only rebuked as sacrilegious attacks the establishment in France of liberty of conscience, the suppression of ecclesiastical privileges, the confiscation of clerical property, the abolition of monastic orders; but he also described as devilish proceedings the substitution of national sovereignty for the royal absolutism, the declaration of equality before the law, the eligibility of all citizens for public employment'.[1] It is very much what Innocent the Third had said about our English Charter, and what Pius the Ninth was going to say in the *Syllabus*. The papacy was and is opposed to all the principles of modern society. It is under no illusion itself, and has the cynicism of its convictions. It is only its dupes who won't see, and its casuists who explain away, what its attitude implies.

The allocution of 1790 encouraged the reactionaries, and assured French reformers that Rome would be an enemy. When the *Constitution Civile* was promulgated, the non-juring clergy urged the Pope to condemn it. Pius hesitated long, for the reasons explained; and many earnest catholics, who were also reformers, by no means despaired of his approval, though perhaps with reservations. They did not expect a sweeping and uncompromising condemnation. The king was of the same opinion, and did not interpose his veto; though he accepted the *Constitution* reluctantly, and under pressure. The Minister for Foreign Affairs was led

[1] Debidour, p. 86.

by his correspondents to expect a compromise. 'The Pope asks the bishops for a plan of conciliation, and will decide nothing till they have answered.'[1] Still Pius wavered; and the *Constitution Civile* was promulgated in July 1790.

In August, Pius formed a commission to examine it. Only in March 1791 did he issue the brief *Quod aliquantum*. Like many papal utterances, this document is ambiguous. It is adverse in general, but room is left for compromise in details. Though the *Constitution* is described as 'denying the most sacred beliefs, abolishing the most holy services (i.e. the choral offices of the monks) and producing calamities which would be incredible if they had not been experienced', yet the Pope says that 'urgent affairs' have delayed his answer a little (*quelque peu*). For eight months, he took no steps to mitigate evils which in his eyes were so destructive; he calls that a 'little', and he subordinated the spiritual interests of a whole nation to his own temporal interests in two petty districts. As to details, he asked for more time and information; so far as his words conveyed his meaning, the *Constitution* was not irremediably condemned. The Revolution, however, was: 'it had wrecked the obedience due to kings; and, worse, it had established that liberty which not only guarantees the right of not being interfered with in religious matters, but grants a full permission of thinking, speaking, and writing; a monstrous liberty which violates the sovereignty of the creator.'[2]

The Revolution and the papacy were thus brought face to face, and they have been battling ever since. There was not then, and there is not now, any possibility of compromise between them. They are Incompatibles. A truce may be patched up. A temporary arrangement can be agreed upon, and it may work, more or less well, even for a century or so, as Napoleon's Concordat did; but behind and below there is always the sullen conflict of irreconcilable principles. Neither side can really compromise without being untrue to its past, and obstructive to its future. The Revolution cannot submit to the papacy without becoming reactionary. 'Men who profess to govern

[1] Champion, p. 177.

[2] Ibid., pp. 182–3.

the world in the name of heaven are the most dangerous enemies of liberty.' The papacy cannot accept the Revolution without stultifying its history, and renouncing all its saecular claims and aspirations. Politicians have been deceived by papal casuistry; but the papacy itself has never been duped by its own professions. It knows that it must dominate human liberty, or abdicate and disappear. It is a battle of life and death.

We cannot, and we need not, follow the Revolution in detail, but only as it affects the relations between church and State. We have seen the kind of church that grew up under the monarchy. It was a church always national in spirit, and fairly representative of national aspirations. It was always firm in its resistance to the papacy, but it was disintegrated from within by the corruptions of the old *régime*. The *Constitution Civile* is a touching and an interesting episode in church history, which deserves more sympathy and attention than it has received. It was an attempt to harmonize the church and the Revolution, or to bring the church nearer to primitive and evangelical standards. It was the work of loyal catholics, as catholicism had always been understood in France. The vast majority of the nation were catholic, and wished to remain so. Nearly all the revolutionary leaders were in agreement with the majority. Those of them who differed were rather non-catholic than anti-catholic, and very few indeed were anti-christian until the liberties and existence of the country were threatened by the counter-Revolution and monarchical interference. They could see no incompatibility between the Gospels and the Rights of Man; though the papacy, it seems, is irreconcilable with the New Testament. The Constitutional church was wrecked by the extreme section of the non-juring bishops, who were able to influence many of the lower clergy, and through them to stir up large portions of the country. The bloodshed and disturbance which Mr. Morley, Jervis, and other English writers attribute to the *Constitution Civile* were caused by the plots and agitations of the ultramontane clergy. These reactionaries were more papal than the Pope, and they

forced on the inevitable conflict. The civil wars were aggravated by foreign invasions. The king was known to be on the side of the non-juring clergy; and the Pope, to be intriguing with foreign enemies, and *Émigrés*. The *Constitution Civile* was the pretext which the reactionaries utilized eagerly to attack and if possible destroy the Revolution. (Under this pressure, and in the extreme danger caused by it, the revolutionary leaders and the country itself became permanently anti-clerical, and temporarily anti-christian.) The excesses and the internecine struggles of the revolutionary factions do not concern us. We need only follow the gradual separation of church and State, which was a necessary consequence of their antagonism. The churches, and still more the re-organized monasteries, were the hotbeds of insurrection, and the citadels of reaction. War was made against religion, out of hatred to priests: not war on priests, out of hatred to religion.

After the papal utterance, affairs moved fast and logically. When its contents were known in Paris, the Pope's effigy was burnt in the Palais Royal, and the brief itself shared a similar fate in many places. Its effect on Louis was disastrous. He vetoed henceforth every legislative act dealing with the church and the insurgent clergy, and his attempted migration to Saint Cloud was for the sake of being within reach of non-juring clergy for his Easter duties. Soon after, came his more serious journey to Varennes, in June, to get in touch with the invading armies. (In May, the papal territory of the Venaissin was annexed,) relations were broken off with the Papal States, and the publication of all papal documents was forbidden unless they had been approved by the legislature. In May also a public funeral in the Pantheon was accorded to Voltaire. So pertinacious was the clerical resistance, and so menacing were its effects, that severer measures had to be taken against the disloyal clergy. Even yet, their pay and pensions were continued, except in flagrant cases, thanks chiefly to Talleyrand. The constitution of 1789 had so manifestly failed, that another was drawn up, which Louis professedly accepted on September the 4th; and on

the 30th the Constituent Assembly disappeared. Its chief work was the reformation of the church. The ecclesiastical organization of the old *régime* was swept away, with all its abuses, never to return; but its leading members were strong enough to oppose the Revolution, and to deluge France with civil blood.

The Legislative Assembly met on October the 1st, 1791. It was less catholic than its predecessor, though it contained an influential minority of churchmen. Separation, which had been the visionary project of a few theorists in 1789, was forced into practical politics gradually, by the progress of events, and against the wishes of the *Législative*. Soon after the new Assembly opened, André Chénier advocated Separation in the *Moniteur*. 'Is it by enabling a body of priests to describe themselves as martyrs that you expect to render them less dangerous? . . . Is it for a national Assembly to reconcile sects and compose differences? We shall never be free from such men till the Assembly secures every man the freedom to hold or invent whatever religion he chooses; when every one pays for the worship he desires, and when the courts punish persecutors and rebels impartially. . . . In a word, clergies only trouble States when the government concerns itself with their affairs; and they invariably give trouble in that case, whatever be done for them.' That is admirable doctrine for normal times, and for most religions. It was an impossible policy when the clergy were fomenting civil war and encouraging invasion. When the papacy and its allies were at open war with us, from 1570 onwards, Queen Elizabeth's government did not hesitate to treat English adherents of the Pope as traitors to the State. They were not only justified in their policy, but they could not have done less. Nor could the French government in 1791. To have yielded to the insurgent clergy would have united all the reactionaries in France, and have precipitated invasion. The results would conceivably have been more deplorable than the Terror. The *Législative*, therefore, voted sterner measures against the non-jurors. For flagrant offences, they were to be imprisoned or forfeit their salaries. The *Communes* were held

responsible for the clergy in their districts. This law was vetoed by the king, and only aggravated the offenders without checking the offence.

The refractory clergy hindered the collection of taxes, the transport of corn, the enrolment and drill of national soldiers, while they organized their own adherents for war. All this was done in collusion with Louis. Hitherto, registration of births, deaths and marriages had been in clerical hands; and the non-jurors had utilized their opportunities, especially with regard to marriages, both to discredit the constitutional clergy and to disturb the populace. The Assembly, therefore, decreed that these registrations must in future be civil acts, as they are now. 'Henceforth, it was not through the sacristy that men entered society: the keys of the city passed from the priesthood to the magistracy.'[1] It also made divorce a civil process, instead of leaving it to be a matter of fees and casuistry, denied in name, but practised systematically by the rich in the golden ages of catholicism. The Legislative Assembly thus advanced a stage nearer to the secular administration of the State. Its own life ended in September 1792, and it was replaced by the national Convention.

In this body, there were forty-four clergymen, including sixteen bishops. The Republic was proclaimed on the motion of Grégoire, the most interesting of the constitutional prelates. He was a philanthropist whose sympathies had no bounds. He was always loyal both to liberty and to christianity. He never yielded to menace or unpopularity. In the worst days of the Terror, he never disguised his person or dissembled his work; and he won the good opinion of all men, except the implacable advocates of ultramontanism. In November 1792, Cambon proposed to discontinue payments to the clergy, solely for financial reasons, through sheer want of funds; and thus the first Separation between church and State was effected almost accidentally.

France was now in the agony of civil war, and was actually invaded. We hear much of the invasions of the Tuileries, the September massacres, the deposition of the

[1] Champion, p. 205.

king, the persecution of the clergy. They are all deplorable. But, before condemning them absolutely, we must consider the provocation. In August 1792, there were thousands of armed peasants, encouraged by priests and nobles, in many districts. Prussia had declared war in August, and Brunswick had issued his manifesto. As Michelet says, 'While the country was again in danger, and facing the enemy, traitors stabbed it in the back.' By February 1793, Austria, Prussia, Piedmont, England, Germany, Holland, Spain and Portugal were attacking France: and ten Departments were in revolt, for the reactionaries. These movements were attended by the worst atrocities. La Vendée, Anjou, and Brittany 'were fired and ran with blood. Constitutional *curés* were tortured and massacred with unimaginable refinements of cruelty. The pious insurgents (*Brigands*, as they came to be described so justly) massacred patriots with a ferocious joy. They fastened their prisoners to trees of liberty, and made targets of them, or chained them in festoons and shot them, or gave themselves the treat of burning them alive while they chanted catholic hymns.' When they took a town they completed the delight of plunder by massacre. In one place, their tribunal condemned not less than five hundred and forty-two persons to death in six weeks. It was against this, that France had to struggle at home, while she was fighting abroad. These crimes preceded, we must remember, the Reign of Terror. They do not lessen its excesses, but they do explain them. They also go far to explain the deposition of Louis, and his tragic fate: he was the victim of ancestral errors and sacerdotal casuistry.

The Convention was turned into a Committee of Public Safety in April 1793. The Girondists were overthrown. The allies took Valenciennes and Mayence, Kléber was beaten in La Vendée, and then the Terror was organized. A dictatorship was established, a *levée en masse* decreed, and a law passed against suspects. The constitutional clergy were implicated in the fall of the Girondins. All catholicism was involved, in the popular mind, with tyranny and treason. Sheer panic, aggravated by treason and treachery,

caused the Terror; and, driven by panic, France became for a while bitterly anti-christian. Even the calendar was changed, the sabbatical reckoning of weeks abolished, and every reminder of the traditional belief was purged away. The process was carried out in many places with violence and aggression; but it is only fair to record that the leaders discouraged popular manifestations, and individual excesses. Danton said in the Convention, 'If we have not honoured the priests of error and fanaticism, we do not choose either to acknowledge the priests of unbelief. We desire to serve the people. I demand that there shall be no anti-religious masquerades in the Convention.'[1] Danton, we should remember, was a deist, broad and vague, it may be, in his conceptions. He was not an atheist.

Robespierre was more definite in his convictions. His theology was dogmatic and authoritative. In fact, his religion was the impelling cause of his terrorism. He was a fanatic of the most dangerous kind, because his fanaticism was the logical consequence of his theological beliefs. His theology was not that of a papal Inquisitor, but his reasoning and his procedure were the same. If a Torquemada can be absolved by sophistry, so can Robespierre. They must stand or fall together. The Reign of Terror was exactly parallel to the Inquisition: it was an attempt to suppress opposition by killing out opponents. Robespierre's worship of the *Être Suprême* must never be confounded with the wild excesses of those who set up the Goddess of Reason. The Convention, and Robespierre with it, repudiated atheism. They were fervent theists. Hence their theological and political ferocity. They decreed, as an inscription for the churches, this profession of faith: 'The French People recognize the existence of the Supreme Being, and the immortality of the soul.' The milder Girondins were nearer to agnosticism than the theological Jacobins; and hence their larger tolerance. It was this tolerance, both in theology and politics, which ruined them. 'The kingdom of heaven is taken by force'; and the Jacobins, the logical extremists, carried everything before them: the execution

[1] Debidour, p. 131.

of the King, of the Queen, of the Girondins, of Danton, of the attractive and pathetic Desmoulins. The Terror relaxed as the invasion was beaten back, and the rebellions were quelled. Liberty of worship was decreed again in May 1794. But the possibility of tolerance, and the defeat of the invading armies, led to the fall of Robespierre. His victories were fatal to himself. He was hated as a political dictator, and feared still more as a religious tyrant. He was ended on July the 27th, 1794; and we may pass from his stormy period, through the Directory, to the Consulate and the Concordat.

4. Talleyrand.

It is a relief to turn away from the tragic scenes of the Revolution, and to consider a personage who took a foremost part in French history during the momentous and variable years between 1789 and 1838. The *Constitution Civile* is connected indissolubly with the name of Talleyrand. As he was even more prominent during the Consulate and the Empire, this is perhaps a convenient place to give an outline of his character and his career.

Charles Maurice de Talleyrand was born in 1754. He was descended on both sides from families which, in rank and antiquity, were among the most distinguished of the *noblesse*. His father had been gentleman (*menin*) to the Dauphin, son of Louis the Fifteenth; and both his parents held positions at the Court. Immediately he was born, he was put out to nurse, 'dans un faubourg de Paris.'[1] When he was four, the careless woman dropped him, dislocated his foot, made the damage incurable by concealing it, and the child was crippled for life. The other foot suffered also from overwork, and was always feeble. This accident decided Talleyrand's profession. As he could not look forward to the army, a *conseil de famille* was held; his primogeniture was set aside, and he was destined for the church. As he says, he was sacrificed to the family.

[1] *Mémoires du Prince de Talleyrand*, p. 7.

Before going to school, he was sent to his great-grandmother, Madame la Princesse de Chalais, in Périgord. The account which he gives of her and of the household is full of interest, full of charm, and should be remembered when the French *noblesse* and the old *régime* are condemned *en bloc*. 'Madame de Chalais était une personne fort distinguée; son esprit, son langage, la noblesse de ses manières, le son de sa voix, avait un grand charme. . . . Elle me fit connaître un genre de douceurs que je n'avais pas encore éprouvé. C'est la première personne de ma famille qui m'ait témoigné de l'affection, et c'est la première aussi qui m'ait fait goûter le bonheur d'aimer.'[1] He goes on to describe the stately and kindly life of the *grands seigneurs* in their Provinces: how they respected themselves, and so gained the respect of others, and the affection of the country, 'Les mœurs de la noblesse en Périgord ressemblaient à ses vieux châteaux; elles avaient quelque chose de grand et de stable; la lumière pénétrait peu, mais elle arrivait douce[1].' 'There was no more tyranny among these petty sovereigns,' he says. He describes the little Court at Chalais, and how the Princess was attended by certain old gentlemen of ancient race 'remplissant chacun auprès d'elle des fonctions que la haute politesse ennoblissait.'[1] After the parish mass on Sundays, they adjourned to the dispensary of the castle, where the poor were solaced by Madame and all her courtiers. 'Ma grand'mère était dans un fauteuil de velours; elle avait devant elle une table noire de vieux laque; sa robe était de soie, garnie de dentelles; elle portait une échelle de rubans et des nœuds de manche analogues à la saison[1].' Talleyrand says about this tending of the poor that greater doctors and more skilful remedies would have lacked some of the healing power which this great lady was able to convey, by her position, and her relation to those whom she assisted. 'L'homme est composé d'une âme et d'un corps, et c'est la première qui gouverne l'autre';[2] and he points out how comfort, hope, confidence must be helpful to the material cure. Let us

[1] *Mémoires*, pp. 8–11.

[2] Ibid. pp. 22, 23.

note in passing that, under Louis Quinze, a coach occupied 17 days in going from Bordeaux to Paris.

Thither Talleyrand returned, to begin his schooling at the *Collège d'Harcourt*; and, soon after, nearly died of small-pox, or of the fashionable remedies which were more violent than the disease. Then, to reconcile him to his profession, he was sent to his uncle, coadjutor to the arch-bishop of Rheims, afterwards himself arch-bishop-duke, and finally cardinal arch-bishop of Paris. They gave him the memoirs of de Retz, of Richelieu, of Ximenès, of Hincmar, to demonstrate how the church was the high-road of politics. In due time, he went to Saint-Sulpice, accomplished his studies, and proceeded to the Sorbonne, where he meditated again by the noble monument of Richelieu. He witnessed the coronation of Louis the Sixteenth: 'a youthful king, scrupulously moral, of a singular modesty; with ministers remarkable for enlightenment and probity; a queen, whose affability, grace, and goodness tempered the austerer virtues of her consort. . . . Never did so bright a spring herald so tempestuous an autumn or so murderous a winter.' Looking back over his life, to the opening years of Louis the Sixteenth, when philosophy and philanthropy added a finer grace to the manners of the eighteenth century, Talleyrand said 'Qui n'a pas vécu avant 1789, ne connaît pas la douceur de vivre'.

Talleyrand, then, went through his studies, and was ordained; not without much repugnance, and serious internal struggles. He tells us how he never spent a week under his parents' roof, or knew them except in a formal way. He was naturally good hearted and affectionate, but his feelings were starved, and he was thrown in upon himself. It is wonderful that he was not soured and spoiled. Reading was his only solace: 'une bonne bibliothèque offre des secours à toutes les dispositions de l'âme.'[1] Talleyrand was forced into the church, against his will, against his beliefs. He was, probably, a deist, a theist; certainly, not an atheist. Like most *philosophes* of the time, like Voltaire

[1] *Mémoires*, p. 21.

himself, he distinguished clearly between religion and that outrage to religion which was established and dominant in France. In these days, a youth of Talleyrand's disposition and convictions would not have been forced into the church, or would not have yielded. In those days, everything was different; and a young noble would not be discouraged, either by the *philosophes*, or by the dignitaries of the church, or by his teachers, from becoming an ecclesiastic. It was the natural way to a career, when the army was impossible.

Talleyrand soon had a benefice. He lived a gay life in Paris, like many other *abbés*. Unlike most of them, he was a student and a scholar, not of books only, but of men. He filled various clerical offices, with distinction, and became bishop of Autun, just before the Revolution. He took the popular side from the first, and soon became a leading member of the States General. He always advocated justice, toleration, concession. Patriotism was more important to him than his privileges as a noble and a prelate. He accepted the Revolution with all his heart. At the same time, he always advocated mildness and conciliation. He was never for repression, persecution, or retaliation. He stands out, almost alone, among the contending parties, for his adherence to the gentler virtues.

He officiated as bishop at the National Fête, and he was one of the few bishops to countenance the *Constitution Civile*, which he helped to inaugurate by consecrating the new prelates. This was his last episcopal act, and he resigned his see. 'J'avais donné ma démission de l'évêché d'Autun, qui avait été acceptée par le pape, par qui j'ai depuis été sécularisé. Je me croyais libre, et ma position me prescrivait de chercher ma route.'[1] This resignation, in spite of the Pope's concurrence and authorization, has condemned Talleyrand to undying calumny. But his opponents might be asked what they would recommend for a man in his position? Which is better; an honest resignation, or a dishonest profession? There is no middle course. Talley-

[1] *Mémoires: préface*, p. ii.

rand was forced into the service of a church in which he never believed. The world round him took the clerical profession easily, as he also did. His calumniators ignore the facts of his entrance into the church, they talk as though his way of life were exceptional, and they misrepresent his exit from the clerical profession.

Talleyrand left France before the Terror. He returned under the Directory, was Minister for Foreign Affairs under the Consulate and Empire; and procured for Napoleon the full diplomatic value of his military successes. He was faithful to Napoleon until he saw that the imperial policy was ruinous to France. Then he resigned his place, as he had resigned his bishopric. In 1814, he served the Restoration; and, at the Congress of Vienna, where it was intended that France should be slighted and dis-membered, Talleyrand began by securing her rightful position, and ended by obtaining honourable and advantageous terms. He lived on into the reign of Louis Philippe, and died in 1838, in his eighty-fifth year. Talleyrand goes through history, not only as an apostate, but as a turn-coat. He 'saved his head', as he remarked, in the Revolution; and he served every government in turn from the Directory to Louis Philippe: he betrayed every government, say his detractors.

His own explanation is very simple, and as I think is satisfactory. 'Je m'arrêtai à l'idée de servir la France, comme France, dans quelque situation qu'elle fût.'[1] In every combination, he said, was some possibility for usefulness. Everything which made for stability and order was good. Then he adds 'Of all the governments which I have served, there is not one from which I have received more than I have given.' 'Je n'en ai abandonné aucun avant qu'il se fût abandonné lui-même.' Time, certainly, has vindicated Talleyrand. We can distinguish clearly between Napoleon the conqueror of Italy, the saviour and organizer of the Revolution, the liberal and incomparable administrator, and that later Napoleon with his mad reckless wars and his dynastic lust. Talleyrand served the one, for the

[1] *Mémoires: préface*, pp. ii, iii.

advantage of France: he would not serve the other, to her ruin, as he foresaw.

Talleyrand's clearness and length of vision were extraordinary. It was by these qualities, and not by duplicity or treachery, that he succeeded: and how great a success. He remains yet as the type of a diplomatist, as the personification of diplomacy. As a wit, he is also supreme; and as a writer, so far as a foreigner may judge, he is among the finest, the lightest, masters of the best prose in the world, the most delicate instrument of thought and speech that modern civilization has produced. Talleyrand stands out always as the champion of justice, of toleration, of generosity, even to his enemies. Not a single act of revenge or malignity can be attributed to him. He was as placable and magnanimous as Caesar, though he lived through an age of deeper passion and perhaps of worse crimes. No leading personage of the Revolution has a cleaner record than Talleyrand, or served France better. If he had been listened to by the privileged Orders, and especially by the First, the Revolution might have taken another course. If he had had his way, there would have been no Concordat; not because he was prejudiced, but because he understood the papacy, and he alone foresaw the dangers which it involved. His government of Benevento was enlightened and creditable. If the papal administration had condescended to follow his principles, it might have been ruling the States of the Church at present; and if the French clergy had followed in the ways of equity and toleration which Talleyrand pointed out to them, they would still be helpful and influential in the development of modern France. Talleyrand exemplifies in his own person all that was best in the social aspects of the old *régime* as well as those ideals of justice and freedom which the *philosophes* and philanthropists of the eighteenth century postulated, and which the Revolution hoped to realize. It would have been well for France if more of the *noblesse* and of the higher clergy had been like Talleyrand. It would also be better for her if her recent history had always been accomplished by men who resembled Talley-

rand in possessing the exquisite urbanity of the old *régime*. And both parties might well copy the magnanimity and placability of Talleyrand: his invariable subordination of personalities and party to the higher interests of France. In every sense of the word, he is a splendid Frenchman, and also a typical Parisian, a worthy citizen of *la Ville Lumière*.

CHAPTER V

THE CONCORDAT OF 1802

1. The Constructive Work of the Revolution.

The Concordat between Leo the Tenth and Francis the First was dangerous to national independence, unjust to the clergy, destructive to the spiritual functions of the church, and a source of corruption to society by the mis-use of patronage and wealth. Like all treaties with the papacy, it only dissembled the inevitable antagonism between church and State; or, to be more accurate, between the papal monarchy and all independent kingship. Though it produced continual friction, it was workable until 1789. It could be adjusted to a theocratic government which, in spite of enormous changes, still retained many feudal traditions of the middle ages: it could not, however, be reconciled with the democratic principles which were accepted by revolutionists of every school. It was even less compatible with the non-theocratic ideals held by many of them, and which in the end prevailed. That Concordat was abolished in 1790, by the Civil Constitution. In applying the principles of 1789 to the church, reformers discovered that they were returning towards primitive Christianity, and were of necessity applying the standard of the New Testament to ecclesiastical affairs. Their reform was thus conservative in one aspect, though progressive in another. In both, it was hateful to the Gallican episcopate, and still more to the papacy. Their violent opposition led to implacable war; not so much between the reformed church and the new State as between the State and those clerical reactionaries who were able to make the new church unworkable. The dead-lock and enmity which were caused by these differences led quickly to Separation.

From 1794 until 1802, the State and the church were

separated. In spite of the terrible events which produced this estrangement, and which continued for some time, in spite also of the singular ineptitude of the Directory, religion did not fare so badly during those trying years as is usually imagined. This '*régime*, though disturbed by foreign and civil war, ended by administering quite normally, to the great benefit of the State, and without any damage to individual consciences. Complete freedom only aggravated the schism between non-papal and papal catholics. The latter split up politically into *ralliés* and *non-ralliés*; into those who swore allegiance to the Republic, and those who adhered to Louis the Eighteenth. Thus divided, the catholic church was not strong enough to dominate the other organizations: the reformed, the calvinists, the Jews, the free-thinkers, the theophilanthropists. Between the various religious groups there was competition and balance. Above them all, the State was neutral, lay, free and sovereign. The First Consul presided, with his usual ability and good fortune, over that *régime* which he had inherited from the Convention and the Directory, and which had procured for France a religious peace through liberty; when he made up his mind to destroy it. And why did he make up his mind to this destruction?'[1]

M. Aulard's question will be answered presently. Meanwhile, we can justify his statement by examining shortly what really was happening in France between the fall of Robespierre and the establishment of Bonaparte. It is too commonly held that nothing happened except confusion and persecution. Both Napoleonic and papal advocates are interested in perpetuating this view, which facts do not sustain; and most English historians have relied too much on these partizans, instead of going to impartial sources. They have heard one side, and ignored the other. It may be proved, easily and amply, that the Revolution was constructive. While it was battling for life against foreign invaders and domestic enemies, even while its own factions were exterminating one another, the great work proceeded; and, if we would be just, we must own that every party and

[1] Aulard, *Études*, 5^me^ *Série*, p. 216.

every leader had a share in the extraordinary progress which was achieved. To the Convention, France owes the *Code Civil*, which harmonized her law with the conceptions of 1789. 'In the midst of storm, a zeal for right and dispassionate reason legislated for the society of the future.'[1] Cambon, by his *Grand Livre de la dette publique*, placed finance on a sounder and securer footing: 'republicanizing the debt,' as he said. The interests of the poor, the sick, and the helpless were never so well cared for previously. The state of hospitals under the old *régime* has been described; under the new *régime* a separate bed, at least, was assured to every patient. The Directory established the *Bureaux de Bienfaisance*. 'The unfortunate are the masters of the world, for they have the right to speak as masters to those governments which neglect them.' Education was planned out on a large and enlightened scale. Primary instruction was made free and obligatory. It was suggested that all youths, who did not work on the land, should be apprenticed to some practical or skilled labour. The plan of secondary education drawn up by Daunou comprised arts and letters, the physical and mathematical sciences, philosophy and ethics. The *Écoles Normales* were established: not merely to teach the sciences, but to convey the art of teaching them; and they were provided with the most eminent instructors. The *École Polytechnique* organized the application of scientific studies to the needs of the State, especially in the military and naval services. The *Comité d'Instruction Publique*, in its thirteen departments, saw to the whole range of moral and physical training, and did not forget the claims of the blind and deaf. Schools of Navigation, of Engineering and Artillery, of Geography and Mines, of Oriental Languages, were either founded or improved. The *Conservatoire des Arts et Métiers* prepared for that mechanical development which the nineteenth century was to bring. The whole study of Medicine was re-organized, and schools were founded which soon acquired a reputation. Veterinary medicine was not overlooked. The old *Jardin du Roi* was

[1] H. Carnot, *La Révolution*, pp. 249-61.

improved into the *Muséum d'Histoire Naturelle* and the *Jardin des Plantes*; but the Consulate failed to carry out the whole plan of the revolutionary government. The *Conservatoire de Musique* was founded. The *Cabinet du Roi* from Versailles was turned into the national collections of the Louvre; and the archaeological museum of the *Monuments Français* was initiated. The Revolution has been credited with much destruction of churches and castles, which was really caused by the religious wars, by Richelieu, and by eighteenth century builders. There was some loss and damage through the revolutionary troubles; but the governments themselves were stern protectors of art and curiosities. The Convention allotted 605,500 *francs* a year to artists, men of science, and writers; more than five times as much as Louis the Fourteenth gave at the height of his prosperity. Education, in its widest and highest sense, has never had two more enlightened exponents than Talleyrand and Condorcet. Such are some of the good works initiated by the Revolution, and the list of its distinguished men is far longer.

Its educational plans were resisted furiously by the clergy, who represented the new primary schools as 'hot-beds of atheism, because the catechism was not taught'.[1] They did their utmost to hinder the pacification of the country, and to disturb the populace. They depreciated the church property, impeded recruiting, encouraged desertion, and practised terrorism. Through confession and preaching they were able to incite the people. Their papers, pamphlets, and catechisms were all inflammatory. The abominable societies of the *Jéhu* and the *Soleil* revived their operations. It is not surprising that the Directory saw in clericalism the great enemy of the Revolution, and the ally of the foreigner. About thirty ecclesiastics were executed in 1796; but every one of them 'was taken in the act of complicity with armed rebels'.[1] Nevertheless, matters were settling down. By the end of 1796, thirty churches of the non-jurors were open in Paris; and the elections of 1797

[1] Debidour, pp. 157, 160, 171.

showed a strong clerical reaction. Partizans of clericalism began to ask for liberty, in the name of philosophy: 'you will give the world an example of a great empire in which all beliefs can be practised under an impartial protection,' said Jordan, the deputy for Lyons. 'His arguments would have been most just if those who were to benefit by them had not been conspirators';[1] and General Jourdain reminded the Assembly that the Republic had the right and the duty to defend itself.[2] Lamarque said of the ultramontane clergy 'We don't want the God of their fathers, because their fathers were barbarians. The true God is one of toleration and freedom.' In August, an amnesty was granted to all the non-juring clergy, and large numbers of those who had emigrated came back; and only an oath was required of them, so loose and vague that no one need refuse it. The Constitutional church met in its first council at Notre-Dame, and set forth a Decree of Pacification, which said 'The Gallican church recognizes the election of bishops by clergy and people as fundamental to its discipline. The elections must be confirmed by the metropolitans. It only admits to its ministry those who have shown their fidelity to the Republic, and have given the pledge required by law.' And there are several regulations about filling disputed parishes and dioceses. The Pope and the *Émigré* bishops ignored this appeal; and the non-jurors received it with scurrility. The Republic still hoped that an agreement might be come to with the papacy. It is beyond doubt, apparently, that negotiations did take place between the Directory and an agent of Pius the Sixth, on the basis of the *Constitution Civile* and its hierarchy, and the draft of a Concordat was printed.[3] Though there was much in the *Constitution* which the papacy abhorred and feared, there was nothing it would not accept if its jurisdiction were recognized. It objected, above all things, to being ignored; and the only difference in principle between the *Constitution* and Napoleon's Concordat is that the former limited its recognition of the Pope to his

[1] Debidour, pp. 157, 160, 171. [2] Ibid. p. 171.
[3] Nielsen, *Papacy*, i. 180–1.

metropolitan primacy, while the latter admitted his papal jurisdiction into France.

2. Napoleon and Italy.

The Italian campaigns of the Directory were carried out partly to bring pressure on the Pope, and force him to make terms with the constitutional church. Those campaigns also brought Napoleon forward prominently; and he becomes henceforth the leading figure in the events of these years. He joined his army in March 1796, and within a year Lodi, Arcola, Castiglioni, Rivoli, had been fought and won, and Mantua had fallen. The Austrians were swept out of Italy; the Papal States were reduced; and the treaty of Tolentino was signed on February 19, 1797. The Holy See was deprived of Bologna, Ferrara, and Ravenna; and it ratified the possession of Avignon and the Venaissin by France. Napoleon did not carry out his instructions, which were to take Rome and despoil the Pope of everything. He had already calculated on the papacy as a necessary ally for himself. 'His policy towards the Pope was to do him as little harm as possible, without leaving him in ignorance of how much he might do. He knew very well that catholicism was gaining ground continually in France; and, without openly flouting the Directory, he acted so as to earn the gratitude and obtain at need the help of the church, which might one day be an invaluable assistant for him.'[1] In a letter to Cacaut on October 24, 1796, he wrote about 'gaining time so as to trick the old fox', the Pope. On the 28th, he wrote 'You can assure the Pope... that I covet more the title of saviour than destroyer of the Holy See'.

'He was not, indeed, withheld by religious scruples. Wholly detached from every church and every belief, raised from obscurity by the patronage of Robespierre, and Barras, and Carnot, he thought, spoke, and acted the Jacobin; and had no more affection than his patrons for superstition and fanaticism. He believed, at bottom, only in himself, and

[1] Debidour, p. 163.

had no other standard of morals than his own ambition. He would not have hesitated to take the Revolution to Rome, if on those terms only he might retain his command and the favour of the Directory.'[1] Though he exhorted his soldiers, as he marched Romeward, 'to chastise those who sharpened the swords of civil war in France, and assassinated our Ambassadors,' and urged them to re-establish 'the Capitol and arouse the Roman People, stifled in centuries of bondage'; yet he caressed the Italian prelates, did no harm to the French *Émigrés*, whom he might lawfully have shot, and allowed no disrespect to religion. In all these apparent trifles, we can see Napoleon's design, and appreciate his motives. Events were against his policy, for the present; but his purposes were only deferred. In December 1797, General Duphot was murdered in the French Ambassador's house. The Directory ordered its armies to advance. Berthier took Rome on February 10. The Republic was proclaimed on the 15th. Ten days later, Pius the Sixth was carried to Siena, and thence to Florence, Parma, Grenoble, Valence, where he died in August 1799. He is entered in the civil register of deaths as John Braschi who exercised the trade of pontiff. Napoleon, meanwhile, was in Egypt. He left the Directory to blunder, and they blundered effectively. At home they irritated, without hurting, the clergy of both churches. Their armies lost Rome, and the Austrians re-entered Italy. Napoleon's disasters in Egypt and Syria were covered by the defeats of other generals in Europe. He landed at Frejus on October 9, and was welcomed in Paris as a deliverer. A month afterwards, he seized the reins of power. The Consulate replaced the divided and effete Directory in December 1799; Pius the Seventh was elected at Venice on March 14, 1800.

It may be advisable here to examine the motives of Napoleon and Pius, the two chief agents of the Concordat. Napoleon was already scheming for the consolidation of his power; and he had come to see that the papacy was not only an useful but a necessary instrument. 'Piety did not

[1] Debidour, p. 163.

enter into the question (for he was indifferent in religious matters); but his plan was to dominate men's consciences through the Pope, to realize by the papacy his imperial dreams, his vision of universal empire. In de-laicising the State (dans la *délaïcisation* de l'État), in arranging a Concordat, he saw, also, in addition, a gain to himself by getting rid of the so-called Constitutional church, which was democratic by its electoral basis; as well as in depriving Louis the Eighteenth both of the papal support (he had been recognized by Pius the Seventh), and of his political agents in France, namely the old bishops. Besides, he could pacify La Vendée and Brittany, whose very catholic populations would rally to the Consulate if the Consulate were reconciled to the Pope.'[1] As to Pius, 'The great matter for the Court of Rome was to end the schism. If the schism were advantageous to the Republic, it did not help Napoleon's dictatorial aims. He wanted a catholic church that he imagined he would control. He desired to extinguish the bishops of the *noblesse*, who remained faithful to Louis the Eighteenth; and who, even as *Émigrés*, meddled in their dioceses, and maintained throughout France a royalist opposition to the Consulate. The Pope and the Consul were thus agreed in wishing to re-unite the Gallican church. In truth, this was the real aim of their Concordat.'[2] This analysis is penetrating, simple, and accurate. It explains everything, and throws light on details and negotiations which have been obscured by ultramontane apologists, and mis-understood by non-catholic writers.

In March 1800, Napoleon crossed the Alps, and he won Marengo in June. On his way to the battle, he had spoken confidentially to Martiniana, the Cardinal of Vercelli, and quite openly to the clergy of Milan. He abused the 'Philosophers', deplored the 'persecutions' in France, asserted that experience had un-deceived the French; that no society could exist without morals and only religion could ensure morality; that the religion of the Milanese clergy was his. Then he made an assertion, which we should remember; and a promise, which was full of mean-

[1] Aulard, *Études*, 5me *Série*, pp. 216–7. [2] Ibid. p. 233.

ing. 'I assure you,' he said to the clergy of Milan, 'that we are re-opening the churches in France, where the catholic religion assumes its ancient splendour; and the people are full of respect for the holy pastors who return zealously to their abandoned flocks. When I can speak face to face with the new Pope, I trust I may have the good fortune to remove the obstacles which hinder a complete reconciliation between France and the head of the church.'[1]

Napoleon was not exaggerating when he said religion was restored in France, though he denied it afterwards, and boasted that the restoration was his own doing. It has suited both imperialists and papists to keep this fiction circulating, and so the public still believes it. In 1796, 32,214 churches were already in clerical occupation, and 4,571 were about to be re-opened. Next year, at the council of Paris, Bishop Lecoz stated that 40,000 parishes were provided with ministers; and these figures are increased in a report issued on the eve of the Concordat.[2] The majority of these parishes were served by constitutional clergy.[3] The maintenance, and therefore the restoration, of public worship is due chiefly to the church of the *Constitution Civile*. Separation did not de-christianize France; though ultramontanism, by its political violence and blunders, nearly did. In the Consulate, France had a government able to command respect, and administer the laws.

'It might easily have made that religious pacification which the Directory had hindered. To do this, there was no necessity to treat with a foreign power. And no section of the French wanted such a policy. It goes without saying, that neither philosophers, nor deists, nor sceptics, wished to re-open official communications between the free and lay society of the Revolution and the papacy which was immovable in its intolerance and narrowness. The constitutional clergy did not wish it any more, as we need scarcely show. The non-juring clergy and their partizans had almost forgotten the bishops who, instead of remaining in France to help them through the trials of the Revolution, had prudently

[1] Debidour, p. 193. [2] Ibid. p. 184.
[3] Champion, p. 154.

emigrated to conspire with our deadly enemies. They were led by priests who had learned wisdom by experience; whose only desires were to be guaranteed from persecution, to re-enter their churches and minister in them peacefully, without humiliation or impediment.'[1] M. Debidour quotes Madame de Staël as recording that the catholics were tired of political adventures, and would have been fully satisfied by tolerance, absence of meddling and persecution, and complete freedom as in America. That might have satisfied the majority of French catholics, as it would satisfy them now; but then, as now, Rome not only wanted something very different, but is compelled to want it, or her occupation would be gone. The justice of these opinions is shown by the thousands of addresses from restored *émigré* clergy, thanking the First Consul, and taking the amended oath: *Je promets fidélité à la constitution.* The nation demanded nothing more than this; but, unhappily, the First Consul did. 'He wanted a catholicism disciplined, *enrégimenté*, submitting nominally to the Pope, on condition that the Pope submitted humbly to the First Consul.'[1] And he wanted a Pope with enough territory to be styled a king, but not enough to be strong; a Pope who required protection, and we know what Bonaparte understood by that.[1] Cardinal Mathieu not only accepts this view, but emphasizes it. 'On the ratification of the French copy, the signature of Bonaparte dominates all the others, and fills the page. It is a symbol of the overwhelming part which he occupied in the negotiation. Bonaparte initiated the treaty, willed it personally and autocratically, made it be accepted by the Pope, imposed it on his ministers, on the *grands corps de l'État*, on his generals and armies, none of whom wanted it, and all with a courage and pertinacity which deserves our recognition. *Bonaparte est le seul qui désire la réunion avec Rome*, Consalvi and Spina have written in a score of memoranda.'[2] Such then were the motives of the Concordat, and of its makers. The motives of Bonaparte were simple: those of Pius were more complicated; because 'the

[1] Debidour, pp. 185, 189, 190.

[2] Mathieu, *Le Concordat*, pp. 322-8.

remembrance of Henry the Eighth, recalled more than once by the First Consul, impressed itself on the whole negotiation as a realizable terror, and forced the papal representatives to give the concessions for which they have been blamed'.[1]

3. The Negotiation of the Concordat.

The causes of the agreement were not really more religious than its motives. The treaty of Tolentino had reduced the Papal States by half. The Roman Republic had been in possession of what was left. Pius the Sixth died a prisoner in France. Though the French had retired from Italy, Austria on one side and Naples on the other were occupying papal territory. Pius the Seventh was, therefore, enchanted by the overtures of Napoleon, whose alliance would unite him to the first general in Europe, the head of a vigorous and rising nation. After Marengo, Napoleon returned to Martiniana, and he conveyed his wishes to the Pope. Spina, an agent of the papacy, was sent to Vercelli; and then, at Napoleon's wish, was moved on to Paris. He was an envoy without powers, whose instructions were to wait, to watch, to sound people and gauge public opinion, but to commit himself to nothing. The discussions in Paris began on November 8, 1800. The French negotiator was not Talleyrand, who, like all the ministers, was opposed to a Concordat with the Pope, but the Abbé Bernier, an old *Vendéen*, implicated in royalism and rebellion, and now a Bonapartist. The negotiations dragged for six months; and then Pius resolved to send his Secretary of State, Consalvi, who went trembling to Paris, expecting to be martyred. He arrived in June, 1801, and had full power to treat. The Pope's delays and hesitations were not all caused by the different aims of the contracting parties, or the interests of the church. They were mainly political. The victory of Marengo was not decisive. The Austrians were still in Italy. It was not clear whether Napoleon or the coalition would be victorious there. The Pope was afraid of being on the wrong side. Moreau's victory at Hohenlinden

[1] Mathieu, *Le Concordat*, pp. 322-3.

(Dec. 1800), the expulsion of Louis the Eighteenth from Russia, the treaty of Lunéville between France and Austria, and the further treaty with Naples, all of which left Napoleon master of Italy, settled the doubts of Pius, and negotiations began in earnest.

Napoleon's plan was symmetrical and simple. The Consular government would protect the catholic religion in France, but must organize or police it as the First Consul might arrange. The Republic should be divided into fifty bishoprics and ten arch-bishoprics. All the existing bishops should resign, both jurors and non-jurors. If they refused, the Consul should appoint others, whom the Pope would institute. Bishops should nominate the *curés*, but the nominees must be approved by government. *Curés* and bishops must swear fidelity to the constitution and the Consuls. The alienation of church property must be recognized, and the holders of it secured. All ministers of worship were to be paid by the State. The First Consul was to have and exercise all the rights of the kings, his predecessors. Married or retired priests were to be admitted to lay communion. Among these proposals were many from which the Pope dissented. The preamble, and even the title itself, presented difficulties. The term Concordat was hated and dreaded by the clergy, as it reminded them of Francis the First, and his mischievous agreement. The treaty was described, therefore, as the Convention between the French Government and his Holiness Pius the Seventh. In the first draft, the catholic religion was described by Napoleon as *La Religion de l'État*. As that threatened toleration and undermined the first principles of the Revolution, it had to be withdrawn. Then Spina tried hard for the term *Religion Dominante*, which was also refused; and a compromise was made by describing catholicism as *La religion de la grande majorité des citoyens français*. Napoleon was thus ready, without being asked, to give up the first principles of the Revolution, by setting up a State religion. By favoring the religion of the majority, he established a privileged, a protected one: privileged, not only by the advantages given

to it, but by the special profession of it (*profession particulière*) required from the Consuls. The Pope made this profession indispensable, if he allowed the First Consul to nominate bishops; and he urged, in support of his claim, the damaging precedent of England. The Pope showed that, in England and Scotland, he nominated the vicars apostolic; and in Ireland, the metropolitans and bishops: 'so that the King does not meddle in these nominations, nor even claim to nominate as his catholic predecessors did before the schism.'[1] Though Consalvi was not able to make Romanism the State religion, he did require that the First Consul should be a Romanist; and Article 17 ordains that, if any successor of the First Consul shall not be a catholic, the rights 'and prerogatives mentioned above, and the power of nominating to bishoprics, shall be regulated, with respect to him, by a new convention'. Thus one office, that of Head of the State, was not accessible to all Frenchmen, as the Rights of Man claimed, but was reserved for catholics, so long as the Concordat should be law.

Having secured the dignity and the privilege of Romanism, Consalvi aimed next at obtaining complete freedom. The First Article runs 'La religion catholique, apostolique et romaine sera librement exercée en France; son culte sera public, *en se conformant au règlements de police que le Gouvernement jugera nécessaires pour la tranquillité publique*'. The words in italics led to the famous *Articles Organiques*, which mean of course 'administrative regulations' only, not fundamental principles. The common English rendering 'Organic Articles' may be precise, but is precisely wrong. Napoleon wished to confine public ceremonial within the churches. This, Consalvi refused; and he suggested no mention of State control, promising that the Pope would settle the matter by a Brief, which the clergy must obey. But, answered Napoleon, how can we allow that the Pope, by such a Brief, should exercise his jurisdiction in France, even indirectly? Consalvi feared that any admission might be used against freedom of worship.

[1] Aulard, p. 222.

Napoleon's objection, however, was honest and sound. He pointed out 'there are places where irreligion or difference of opinion is so violent that it would be impossible to conduct ceremonies outside the churches without the danger of their being insulted'.[1] As happens so often in papal negotiations, Consalvi, while appearing to compromise on one point, outwitted the adversary in a more important one. He suggested the phrase 'all obstacles shall be removed which hinder the free exercise of worship'. By these 'obstacles', he understood, though he did not express, various civil laws of the Revolution, including divorce. Napoleon finally rejected this phrase; but it illustrates the methods of papal diplomacy. The Romans were willing to promise anything, so long as their phrases were not beyond the reach of casuistry, and did not seem to give them away publicly. They were, and are, always in terror of awkward precedents. Consalvi wrote to Doria, 'Les plénipotentiaires français ne voulurent jamais comprendre que *toute notre difficulté consistait à le dire*, tandis qu'en fait nous le souffrons partout.'[2] As the agreement had to be given in Latin, Consalvi tried to manipulate the rendering, so as not to wound the *Curia*. Cardinal Mathieu owns that 'he required some dexterity in operating, because the French negotiators, who knew Latin, checked the translation, which the Italians were dealing with loosely' (*faisaient au pied levé*).[3] And all these tricks, equivocations, and the caressing flatteries of Napoleon are mingled with unctuous phrases and invocations of the Holy Ghost. Pius and his advisers were, in these methods, as facile as Consalvi. Cardinal Mathieu recommends the instructions of Pius, and the whole negotiation, as a model to young diplomatists of the Quai d'Orsay. They certainly illustrate papal diplomacy, and throw floods of light on the evolution of the papacy during the middle ages, when its adversaries were not so cautious and scholarly as Napoleon's representatives; but the Cardinal forgets that these methods are no longer profitable, or even possible, in our present condition of

[1] Lecomte, *Rapport*, p. 102. [2] Ibid. p 102.
[3] Mathieu, *Concordat*, p. 260.

publicity; and recent experiences have proved this to every one but the diplomatists of the *Curia*. During the whole progress of Separation, from the visit of President Loubet to Rome until the latest stages of the affair, documents have been sophisticated by the papal Secretary of State; but his methods have been systematically exposed by means of the Press.

The difficulties we have considered relate to the fundamental principles of the Concordat, as they appeared to both parties. There were other grave differences of detail which had to be adjusted before an agreement could be reached. One of the greatest was the question of the existing bishops. Napoleon wanted them all deposed: the *Émigrés* and non-jurors, as royalists; the Constitutional bishops, as republicans and liberals. There were serious objections to deposing them by a papal decree. It was uncanonical and unprecedented, and could not be admitted as valid by any Gallican. Pius himself described his power as *douteuse*, which means that he knew it to be non-existent, or at any rate a novel and most arbitrary usurpation. Besides, the only fault of the *Émigrés* was that they had been faithful to the old *régime*, and had been forced by the Revolution into ultramontanism. The Pope said he could not sacrifice them without violating his personal honour (*son honneur d'homme*). Nevertheless he did sacrifice both the bishops and his honour, not to Napoleon, but to the aggrandizement of the papacy, though he tried to save appearances, and to conceal the ultimate consequence of his act by the usual casuistries. He suggested, first, that he might withdraw their faculties and appoint administrators, to act while the existing bishops lived. Napoleon rejected this, because it would still leave the bishops free to agitate, as royalists. They would oppose the Consulate and the Concordat as they had opposed the Directory and the Civil Constitution. Pius then said he would exhort the bishops to resign 'for the good of the church'. If they refused, it would be a grievous fault; and, for this fault, he would depose them. Thus Pius sacrificed his honour, and the papacy gained enormously. 'He asked, really, that his hand might be

forced, and for an obvious reason; that the First Consul, by recognizing the papal authority to depose bishops, without canonical faults, should destroy independently one of the last barriers and guarantees of episcopal freedom against the papal absolutism in matters of rule and discipline.'[1] This was a long step towards the infallibility of 1870. To depose the whole episcopate of the leading catholic nation was, indeed, a triumph for the papacy; and the power thus usurped by the aid of Napoleon was used recently, in spite of Napoleon's Concordat, against the bishops of Laval and Dijon. Thus Pius the Seventh established in France, for the first time, an hierarchy of which the Pope was the ruling chief; and Napoleon eliminated that democratic church, which would have been inconvenient for his imperial and autocratic administration.

Of the eighty-one bishops, who survived from the old *régime*, thirty-six refused to resign. A few of these yielded long afterwards, but the majority were never reconciled. The last survivor, de Thémines, bishop of Blois, styled himself bishop of all France. He died in 1828; and the *Petite Église* lived into the reign of Leo the Thirteenth. Those uncompromising prelates, whom the Revolution had driven from their Gallicanism to ultramontanism, were driven back to Gallicanism by the Pope. They described his action as *une monstruosité*, which is true; and they enriched Gallican literature with a mass of pamphlets, equally abusive of the papacy and the *Constitution Civile*. Twelve of the Constitutional prelates were admitted into the Concordat, ten bishops and two metropolitans. A farther example of ultramontane diplomacy is to be found in the tortuous history of their so-called retractations.[2] The Concordat was signed in Rome on August 28, and ratified by Napoleon and Talleyrand on Sept. 8, 1801; but it was not promulgated and carried out until April 1802, from which time it should properly be dated. The delay was caused by the preparation of the so-called *Organiques* or administrative clauses; that *police des cultes*, against which Consalvi had used all his casuistry.

[1] Debidour, p. 199. [2] Aulard, pp. 246–9.

We have considered, first, the positions and aims of the two parties to the treaty; and, secondly, the chief obstacles which hindered their agreement. We may now summarize the Concordat itself; reminding the reader again that its official title is CONVENTION ENTRE LE GOUVERNEMENT FRANÇAIS ET SA SAINTETÉ PIE VII. The Convention itself contains 17 Articles. We have dealt with the preamble, which describes catholicism as 'la religion de la grande majorité des citoyens français', and which prescribes the *profession particulière* (*professio peculiaris*) of the Consuls. The first Article grants the free exercise of the catholic religion; and of its public worship, subject to the police regulation which the government shall judge necessary for public tranquillity and order. 2. There shall be made by the Holy See, in concert with the government, a new delimitation of the French bishoprics. 3. Provides, as we have seen, for the resignation of existing bishops. If they refuse, which his Holiness does not expect, the government of the new dioceses, under their new titles, is to be provided for as follows. 4. The First Consul shall nominate, within three months from the publication of the Bull; and his Holiness will institute canonically, according to the forms established with reference to France before the change of government. 5. Future nominations will be made in like manner by the First Consul; and canonical institution will be given by the Holy See according to the preceding Article. Cardinal Mathieu remarks that this Article does not bind either party, as to time; but, surely, the length of vacancies must be regulated by the usual practice of the old *régime*, to which the previous Article refers, even if the period of one month does not affect this Article, which is a complement and expansion of the preceding. 6. The bishops swore fidelity to the First Consul in person, in the terms which were used under the old government: that is, they swore obedience and fidelity, to join in no plots or disorders, and to report all such matters to the government. Napoleon thus had his spiritual police organized, and so had Louis the Fourteenth; but, in the catechism which explains what is meant by loyalty, the Emperor went much farther than

the king, much farther than Bossuet. The acceptance of such doctrines is not creditable to the concordatory bishops, or to the Holy See; and it is not surprising that liberals were hostile to the clergy as the chief agents of tyranny and reaction. 'See how the Pope accepted a clause which made the bishops informers and spies, *mouchards du gouvernement.*' 7. Priests were to make a similar oath to the civil authorities of their districts; and so the whole body of the clergy was *enrégimenté* in the service of Napoleon. 10. *Curés* were to be nominated by the bishops, but the nominee must be acceptable to the government. 11 and 12. Bishops may have a chapter, and a seminary, and churches not alienated will be given to them. 13. The Pope ratifies the alienation of all ecclesiastical property, and guarantees its existing owners in their possessions. 14. The government assures a becoming salary, *traitement convenable*, to all ministers: *sustentationem quae cuiusque status ducat.* This payment was a salary, paid for duties performed, as to other public servants. It was not a property. Still less was it a compensation or an equivalent for the domains of the old First Order, which was deliberately and entirely abolished, by the sovereign authority of the nation, with all its rights, privileges, and material possessions. It left no heirs or claimants except the State. The new clergy, who were not a corporate body, but individuals paid by the Government, had no more right to the possessions of the First Order than any other individual Frenchmen.

The Administrative Regulations are divided into four chapters and seventy-seven Articles. We need not go into their details. The controversies which they have raised are about their principles, and even their existence. The Pope repudiated them from the first, saying they were drawn up without his knowledge, and added fraudulently to the Convention. The Government has always maintained that they existed implicitly in the second clause of Article 1: *Le culte sera public, en se conformant aux règlements de police que le Gouvernement jugera nécessaires pour la tranquillité publique.* It might be asked, pertinently, who are responsible for public order in France, who are to judge of it? Is it to be

regulated by the French government, or by foreigners in Italy? There can be but one answer, unless we acknowledge the full theocracy of Boniface the Eighth. The same question returns to us if we deal with matters of property and persons. Has the French government, or has the Pope, sovereign rights over French citizens? Can France dispose of her own money and buildings, or must she sue to the Pope for leave? Englishmen answered these questions decisively some four centuries ago, with regard to the papacy. Our law courts still answer them in a similar way whenever they recur, as in the case of the Scotch Free Churches. It is not a matter which depends on the establishment of religion. It is a matter which is vital to sovereignty, and to the civil power. Not only the Rights of Man, but the freedom and progress of humanity, depend on these questions being answered against papal and clerical assumptions. 'Les plus dangereux adversaires de la liberté sont des hommes habitués a gouverner la terre au nom du ciel.'

Leaving principles, and turning to a few details, it will be noticed that there is no mention in the Concordat of the religious orders. They had not been included in the *Constitution Civile*, except as a survival, which was to expire naturally. Their royalist and reactionary plottings led to their abolition, and they were swept away by law. Their return was never contemplated, and so it was not even forbidden. When the Concordat was made, the Jesuits were still suppressed, and no civil government expected or desired their restoration. It was clearly intended by the civil power that monasticism should not be restored in France. The convents had been dissolved, not only because they were decayed and useless, and their revenues misused, but because the conventual state violated the Rights of Man and the principles of the Revolution. It has been argned by some casuists that the first article of the Concordat, which grants liberty to the catholic religion, carries with it of necessity a permission to take monastic vows. This may have been one of Consalvi's mental reservations; but, it must be remembered, though individuals may vow what

they choose, yet if their vows lead to external acts the law must deal with them, and if such persons combine they fall under those laws of association which all States have, and must have, the duty to regulate. At any rate Napoleon did not want the orders back. He provided in the Concordat for bishops, *curés* and *vicaires*, but not for monks. His agreement referred only to the parochial clergy. Napoleon said plainly 'It is against my intentions that religious communities are being established', and he issued a further decree against all unauthorized associations. He authorized only three orders, one of them being the *Missions Étrangères*, which he favoured for imperialistic reasons. The Christian Brothers were admitted, but only as a body of individual teachers, under the Minister of Education; and the Sulpicians were also encouraged for educational purposes. As to the rest, Portalis informed the Council of State that 'All monastic institutions have disappeared'; and Lucian Bonaparte explained to the *Corps Législatif*, 'We see no more of those innumerable orders, which devour the substance of the people without giving them any return . . . and which only serve in modern States to encourage destructive and foreign tendencies' (*un esprit étranger et funeste*). Mr. Bodley states that the orders just mentioned 'were the only three which he (Napoleon) authorized'.[1] They were, indeed, the only orders of men; but 'more than two hundred *congrégations* or communities of women had been authorized by the Emperor. Many others were formed without legal recognition'; and the three orders of men had their authorization withdrawn in 1809.[2] As we shall see, the Concordat was violated in many ways, even from the beginning; but no violation of it has been so outrageous as the continual increase of the religious orders, which progressed with a growing momentum until it was checked by the legislation of M. Waldeck-Rousseau, and the rigorous administration of M. Combes.

Neither party was satisfied by the Concordat. Napoleon

[1] *Church in France*, p. 69. [2] Debidour, p. 329.

found himself in conflict with the papacy almost before the ink was dry. He thought he had broken clerical resistance when he replaced the First Order of the old *régime* by a department of State with salaried officials, whose heads were chosen by himself, and who all swore allegiance to him personally. He failed to see that by making the higher clergy dependent on the State, he not only made them helpless against the papacy, but impelled them inevitably towards ultramontanism. The lower clergy, in like manner, were subjected to their bishops. Only a small proportion of *curés* had security of tenure. The great body of *desservants* and *vicaires* were, indeed, *enrégimentés*; but their commander was the bishop, not the Emperor. The position of the lower clergy under these conditions has been degrading, precarious, and deplorable. Even the nomination of bishops did not turn out as Napoleon expected. The real head of the concordatory episcopate was not the Emperor but the Pope. The real administrator was not the Minister of Public Worship but the Nuncio. Though the French authority could nominate to bishoprics, it could only set up an episcopal dummy. Until the Pope animated that dummy by his canonical investiture and his various *faculties*, the ministerial nominee was but a phantom prelate. Napoleon soon experienced this; and Pius the Seventh baffled him, at the height of his power, by refusing to institute his nominees. As Article 5 imposed no fixed limit of time, and provided no alternate action, the Pope did not violate the letter of the Concordat; and there is hardly a clause of it which is not equally vulnerable. Napoleon, instead of re-establishing, as he thought, a national and Gallican church, set up an organization which was dependent on the *Curia*. The Concordat gave the Pope a right of entry into France, such as he had never enjoyed before. It secured him in a fortified position from which he could dominate the clergy, and influence every department of French affairs. Napoleon was soon driven to confess 'The greatest error in my reign was the Concordat'; and every French administration would endorse his judgment. Whatever advantage it may have brought to Napoleon, it has been disastrous for his

successors, by giving them a legacy of perpetual friction and incessant conflict.

And yet the other party was not satisfied. Cardinal Antonelli, in a consistory held at Rome in 1801, presented a report which is worth pondering. He began by jubilating over the deposition of the French bishops, which he described truly as a *coup d'État*, and then praised as 'un hommage extraordinaire rendu à sa puissance, en contradiction flagrante avec les théories gallicanes'. After this flourish, he proceeded to bewail the deprived bishops, 'True shepherds, exiled from their country, and more, (I cannot speak of it without tears) wounded and separated from their flocks by the very sword of Peter. The religious orders are expelled from the whole of that vast empire. The holy virgins are deprived of their cloistered sanctuaries. Chapters and seminaries are without means of support. The churches which remain, after the recent profanations, are sordid and ruinous. The bequests and legacies, the charitable works, the prerogatives and immunities are abolished and overturned. In fine, we have a skeleton, soulless, bloodless, fleshless. This is the phantom of religion which they have re-established in France; and those who have effected this wretched performance boast, and usurp the name of restorers of altars.'[1] It is not easy to satisfy the ultramontanes.

— 'The Court of Rome had submitted to Napoleon's demands because it could not otherwise regain its temporal and spiritual power. Thanks to him, the Pope had recovered part of his States; but, far from being grateful, it chafed on account of that which it had not received. Thanks to him also, the Pope had recovered his authority over the French episcopate, and had usurped the right of deposing bishops without any canonical reason; but it held that no gratitude was owing to the author of the *Organiques*. The church of France was, to all appearance, garotted by the civil power. But that very servitude, into which Bonaparte pretended he had pushed it, was one reason why it turned towards

[1] Lecomte, *Rapport*, p. 110.

the Pope, and gave itself to him with a docility which was unknown under the old *régime*. . . . Bonaparte had, in reality, and unawares, worked against himself, against the lay and liberal France of the Revolution. Moreover, while dreaming that he had bound the church, he hand-cuffed himself to a rival power whose implacable and invincible resistance became one cause of his ruin. He made inevitable a transformation whose manifest consequences we are feeling now. The old *régime* had made the French clergy Gallicans. Napoleon manufactured ultramontanes.'[1]

The situation created by the Concordat has been summed up by M. Anatole France with his unfailing lucidity and wit: 'Le Concordat, dépouillé de la pompe romaine et de la majesté consulaire, n'est qu'une bouffonnerie italienne jouée par un cadet d'Ajaccio avec un prêtre romain. Bonaparte sentit lui-même le comique de cette pièce. Quand il reçut du cardinal Caprara, dans une assemblée solennelle, une exemplaire authentique de la Convention, enfin signée, on le vit rire aux éclats et faire des grimaces. Pourtant le plus fin de la comédie lui échappait. Il pensait avoir dupé le vieux renard, et c'était lui qui était la dupe.

'L'imprudent Consul croyait rétablir à son profit l'Église gallicane, et il organisait en France une province de l'Église romaine. Il faisait un clergé sans force pour lui résister et sans force pour résister au Pape, un clergé, misérable et servile, soumis à deux maîtres et contraint sans cesse de trahir l'un pour contenter l'autre. Il organisait le clergé qui, après avoir chanté des *Te Deum*, pour toutes ses victoires, se détournera de lui dans ses jours sombres, prendra la cocarde blanche en 1814, soulèvera contre lui la Vendée en 1815.'[2]

Cardinal Mathieu quotes, with approval, a saying of Cacault, 'Le Concordat a été l'œuvre d'un héros et d'un saint'; but he has to add in the next sentence 'Le héros se démentit bientôt'.[3] 'The alliance between Bonaparte and the papacy was a *mariage d'intérêt*, ill-arranged, and bound to finish with a divorce. Nevertheless, it had its

[1] Debidour, p. 227. [2] *L'Église et la République*, p. 86.
[3] *Le Concordat*, pp. 325–6.

honeymoon, which was longer than is usual with such unions.'[1] The consulship for life in 1802, and the empire in 1804, made the papacy very complacent with the victorious soldier. Nevertheless, differences began almost at once. The *Organiques* were objected to by the Pope, on their publication: so was Caprara's oath as legate, which revived the Gallicanism of the old *régime*. In return for the coronation and consecration of the Emperor by the hands of the Pope, Pius counted on getting back Ravenna, Ferrara and Bologna, as well as the restoration of religious orders in France, and the abrogation of the *Organiques*. In all these hopes, he was disappointed. Instead of obtaining the Legations, he lost Ancona and Civita Vecchia. As Napoleon seemed to decline in power, the Pope grew more exacting. The Article about the institution of bishops prescribed no limit of time, and by declining to institute, Pius was able to cause grave embarrassment to the Emperor's administration. The Concordat did not work; and not even the ingenuity or the violence of Napoleon could make it work. He had given the Pope an ultimate control over the French church. The *Organiques*, against which the Vatican protested, were quite useless as a barrier against the papal jurisdiction. Napoleon then tried force. The Papal States were invaded, and in the end annexed to the empire, being considered as two French Departments. The Pope had an allowance of 2,000,000 *francs* (£80,000). The Sacred College and the *Propaganda* were financed by the Emperor, the papal archives were taken to Paris; and the Four Articles of 1682 were made a law of the empire. The Pope himself was imprisoned at Savona, and moved to Fontainebleau. The Concordat of 1802 was thus broken and finally abrogated within ten years of its promulgation. New terms were proposed to the Pope; and a Council met in 1811, to solve, if possible, the difficulty about institution. It showed itself, however, too papal, and had to be dissolved. The opposition were imprisoned, and the remaining bishops were re-assembled. They revived ancient canons, and proposed that no sees should be vacant for more than a year;

[1] Debidour, p. 230.

that the Pope must institute within six months of nomination; and, if he refused, the metropolitan or the senior bishop of the province should act; but they would not decree this without the Pope's authority. The proposal was submitted to Pius, and accepted by him in a Brief; and these terms were adopted as the Fourth Article in the Concordat of Fontainebleau, which was signed by Napoleon and Pius on January 25, 1813. It was repudiated by the Pope in the following March. The chief interest of this Concordat, beyond Article 4, is that France and the kingdom of Italy were both included. Article 9 ordained that the *Propaganda*, the Penitentiary, and the papal archives should be established wherever the Pope might reside. That was not necessarily Rome; and the abolition of the Temporal Power was thus ratified by Pius the Seventh. This new Concordat was short-lived; for, besides the Pope's immediate repudiation, the First Empire itself was ended finally in 1815. The year before, the Pope was restored to Rome, and his States were given back to him by the Congress of Vienna. The relations between France and the papacy were regulated again by the Concordat of 1802. As the main principles of that agreement were unaltered, it has not been necessary to consider in detail the stormy and interesting period of the empire, which was very little creditable to the French clergy, or to the Emperor, or even to Pius the Seventh; though he is usually praised in ultramontane histories without any sort of reservation.

4. Pius the Seventh.

Barnaba Luigi Chiaramonte was born in 1742. At sixteen, he joined the Benedictines. He was a distant relative of Pius the Sixth, who made him a titular abbot. He was promoted to the bishoprics of Tivoli and Imola, and so to the Cardinalate. He was elected Pope, at Venice, on the 24th of March, 1800, when the papacy had fallen, as it seemed, irretrievably. Pius the Sixth died a prisoner in France. A Republic had been proclaimed in Rome. The Papal States were in the hands of Austria and Naples; and

were soon to pass once more into the grasp of Napoleon. France itself was lost to the papal jurisdiction. Under these circumstances, Napoleon offered the Concordat, and all that it implied. We have seen what hopes were raised in the mind of Pius, and how grievously they were disappointed. The reign of Pius the Seventh may be divided into two periods. From 1800 to 1814, he has no history apart from Napoleon. Those years are occupied by the Concordat, by a short period of deceptive peace, by a long period of disagreement, which involved the loss of the Papal States, the imprisonment of the Pope, and a renunciation of the Temporal Power. It is not easy to form, and it is less easy to formulate, an equitable judgment of Pius the Seventh. Joseph de Maistre, that fiery ultramontane, did not hesitate to write of him, soon after Napoleon's coronation, 'The crimes of an Alexander Borgia are less revolting than this hideous apostasy of his weak successor. . . . If once a man of his rank and office so far forgets both one and the other, he degrades himself into the condition of a puppet who is of no further consequence.' Ultramontane opinions always produce intemperate expressions; but impartial judges may take a more lenient view of Pius the Seventh. In himself, he was amiable, with a singular charm of looks and manner. Certainly, he was no martyr. The heroic virtues were not his; but he had an unexpected fund of passive resistance, which seldom failed him, though it was not inexhaustible. The bottom was reached more than once, and Pius yielded what no really great and brave man would have surrendered. In a Pope, that matters little; for he can always go back on his own word, since he claims the power of absolving other men from their engagements.

After 1814, Pius was restored to his capital, and his States. The second period of his reign inaugurates that new papacy which was evolved during the nineteenth century. Its first act was to restore the Jesuits; and it has been dominated by them ever since. Under their guidance, it produced the *Syllabus* of 1864, and defined papal infallibility in 1870. The results of this policy have been perpetual friction with the Civil Power, and an ever widening breach

between the church and the progressive intellect of the modern world. The papacy, without any doubt, was more active and influential in the last quarter of the nineteenth century than it was in the last quarter of the eighteenth. The position of Leo the Thirteenth was very much greater than the position of Clement the Thirteenth. This was due very largely to our modern facilities of communication, which enabled the administration of the church to be more centralized, and more in contact with the various governments. The Press and the telegraph have been indispensable factors in the growth of Vaticanism; and, as a French ultramontane said recently, government by telephone, with an autocrat at the other end of it, is terrible. The ultimate success of the Jesuit policy, and of centralization, is more than doubtful. Shrewd observers think its failure is already discernible. The mass of the people seem lost to the church in all progressive countries; and the *personnel* of the clergy has deteriorated. Vigour and initiative have withered under the ultramontane system, which has done for the hierarchy and the priesthood what the Ignatian method has done for the Society of Jesus. Obedience is good, but blind obedience may be too dearly bought. These matters, however, are still in process of evolution; and the end of them is not yet.

As a ruler, after his restoration, Pius followed the bad example of the Holy Alliance. His policy was feeble, and his administration detestable. Its fatal consequences were soon experienced by his successors. Except for the heroic episodes, which were due to Napoleon, Pius the Seventh would have gone down to history as an amiable and quite undistinguished Pope. For one beautiful and charming work, however, he must always be remembered gratefully. An inscription tells that he rescued the Pincian Hill from neglect and squalor, and made it pleasant for the Romans, and also for strangers who worship Rome as their second country. As we ascend that regal staircase inscribed with the name of Louis Quinze, and pass under the ilex bowers of the French Academy, and take in the panorama of the City, with all its huddled roofs and towers between the Quirinal,

the Palatine, and the Janiculum, and marvel at the transformation of St. Peter's dome as it glows tremulous and then fades in sunset, or enjoy the morning light through the pines of the Borghese Villa, we should think very kindly of Pius the Seventh, the builder of those massive terraces. Napoleon also is on the Pincian, not as an Emperor, nor as one of the great statesmen of old or new Italy, but among the Italian *Condottieri*. That is, perhaps, a just stroke of irony or accident; and a judgment which he thoroughly deserves in the enchanted garden of his prisoner. And overlooking it, from the highest ridge of the Janiculum, above the *Acqua Paola*, dark and ominous against the sky, colossal, is another *Condottiere*, Garibaldi, frowning always on the Vatican, where the papacy endures a more serious imprisonment than that of Savona and Fontainebleau.

We have now reached the modern world; and the remainder of our task is to show how Napoleon's Concordat led inevitably to Separation. It contained the germs of disintegration, and was unworkable from the first. Napoleon abrogated it himself in 1813, and it was abolished again four years later. Under every dynasty, and through every government, it has been a cause of friction, and has presented opportunities for papal encroachments. With respect to the State, it was illogical, reactionary, incompatible with the principles of the Revolution; and these conclusions have at last been recognized.

On the ecclesiastical side, the Concordat differs much less than is supposed from the *Constitution Civile*, except in one point. The *Constitution* provided for a recognition of the papal primacy, and for communion with Rome as the centre of unity. The Concordat admitted the papal jurisdiction into France, and so made the Pope master of the French church. As Bishop Grégoire said 'All the reasons for acceptance, all the proofs which you bring in favour of the Concordat, are precisely the same which we used to justify the acceptance of the *Constitution Civile*. . . . You set Europe on fire, stirred up foreign and civil war, caused massacres and persecutions, only to do ten years later that which we did

ten years earlier'.[1] And, after all, the Concordat did not bring peace. Before it, the Romanist clergy were split into the factions of those who took an oath to the Consulate, and those who clung to Louis the Eighteenth. During the quarrels between the Pope and Napoleon, there were similar divisions. The *Constitution* was a protest against papal usurpations, but it cannot be described as heretical unless the whole primitive church be also accused of heresy. It was the pretext or occasion of much trouble, but the causes of that trouble, and of the crimes which accompanied it, were the *émigré* and ultramontane clergy. The Concordat was not so much a restoration of catholicism as a renewal of the link between church and State, in a way which was most advantageous for the papacy, as the remainder of our history will show.

[1] Champion, p. 166.

CHAPTER VI

THE RESTORATION

With the Restoration, we enter that new world which was beginning to organize itself after the storms of the Revolution and the Napoleonic wars. The battle between progressives and conservatives is always being waged. It is as old as Cain and Abel, or as Prometheus and the Olympians. Indeed, Zeus himself was a progressive, even a revolutionary, in his father's reign, though he declined into a tyrannical conservatism, and so died; as even Gods must if they won't move. The eternal warfare only changes its form. In the time we have reached, the progressive party were fired by those generous enthusiasms which led to the Revolution of 1848, which have endowed the men and the movements of that age with perpetual youth, making them singularly attractive. Some of the catholic leaders were touched with a breath of liberalism, and tried to infuse it into their church, with disastrous consequences for themselves. Lamennais died an outlaw, declining to be reconciled, refusing the prayers of the church, demanding civil burial. Montalembert lived to bewail the superstitions and the Vaticanism which were so manifestly overwhelming the French church in his closing years. Dupanloup, always in and out with liberalism, after opposing infallibility, courted the Pope, and aimed at the cardinalate which he failed to get. The official representatives of the church become more and more exacting in the years between 1814 and 1870. They opposed, and openly condemned, liberalism in church and State. This was not a new departure, but a logical and an inevitable process. The *Syllabus* of 1864 is contained implicitly in the Encyclicals of Pius the Sixth and Gregory the Sixteenth. The definition of 1870 is a necessary consequence from the pre-

misses of Boniface the Eighth, Innocent the Third, and Gregory the Seventh. On one side, then, we see Vaticanism and clericalism, under Jesuit guidance, moving towards their appointed goal. On the other, we can follow the lay spirit and the principles of 1789, directed by scientific methods, and inspired by a growing knowledge, working out their inevitable destiny. Clericalism produced anti-clericals; repression strengthened liberalism; misgovernment led to revolution; obscurantism led on to education. The quarrels of the past, between church and State, were usually over matters of taxation, or of patronage and privilege, or of royal and papal jurisdiction. In the period before us, they turn almost exclusively on education. The Revolution postulated universal suffrage; and both sides saw that it was essential to influence the voters. Liberals wished to do this by a national education, obligatory, free, and lay. The clericals wanted education to be their monopoly; and, like all monopolists, they objected to a free trade in their commodity. They were not zealous for education itself, but for its control and management. That struggle gives us the clue, or the key-note, to French history during the nineteenth century; and mingled with it, during many years, was a struggle for political freedom and expansion, against a centralizing and retrogressive hierarchy. The Concordat was a reactionary measure, and so was the Restoration. They were, both of them, attempts to mitigate the principles of 1789, to divert and check their logical development, to unite past and present in an impossible combination: to put new wine into old bottles, in other words; and the result should have been foreseen, at any rate by a theological party.

'If the Bourbons, who were re-established in 1814, were never able to become popular, and disappeared for ever at the end of sixteen years, it was not only because they returned under the protection of foreigners, who had conquered us, or because they were accomplices of a *noblesse* that wished to submit us again to the reign of privilege; but because they were too servile to the catholic clergy, who aimed manifestly at subjecting us to their theocracy. That word is

no exaggeration, if we examine the programme of those who directed the French clergy. To abolish the Concordat of 1801, and especially the *Organiques*; in consequence, to reduce to a minimum, in relation to the church, the control and influence of the State; to re-establish, as far as possible, between the two powers, those relations which had existed before 1789; to restore the ancient dioceses, or at least the majority of them; to let the clergy become a corporation, that is an Estate within the State; to re-endow the clergy, making them independent, with domains or funds; to give a free entry to all religious orders of men and women, allowing them not only to hold property but to increase it without limit by gifts and legacies; to destroy the University, or, in other words, State education; or if that were impossible, to let the church dominate education, and give the clergy entire freedom to open schools of every kind; to give practical effect to the exclusive recognition of catholicism, or at least to utilize its existing privileges; to make it invulnerable from attacks in the Press; to give its dogmatic, and even its disciplinary, edicts the force of law; to restore to it the registrations which had been given to the civil power; to expunge from the Code everything of which the church disapproved, especially divorce, and to make religious marriage an obligation which must precede the civil ceremony.'[1]

As soon as Napoleon had sunk, the ultramontane clergy showed that they disliked the Concordat as much as the *Constitution Civile*. The imprisoned Pope had become free, strong, and therefore dangerous; so the prelates out-vied one another in ultramontane professions, and abuse of the Revolution. The lower clergy had lost that relative security of tenure which the old *régime* had given them; for the Concordat subjected most of them to a servile dependence on their bishops, who could nominate, and revoke the nomination, of all *desservants* and *vicaires*, the vast majority of parochial clergy (Art. 31 of the *Organiques*). The liberal clergy of 1789 and of the *Constitution Civile* died out, and

[1] Debidour, p. 328.

were replaced by reactionaries, royalists, and ultramontanes. 'L'esprit de la Vendée avait envahi les presbytères.'[1]

But more powerful and more zealous than the parochial clergy was that combination of the religious orders which the French describe so conveniently and accurately as *La Congrégation*. By *Congrégation*, the French law understands a religious association, or an organization of religious houses, which is governed by a common superior, a General. An *Établissement* is any single house which forms part of an association. A *Communauté*, or religious community, is a house governed by a resident superior, a self-governing community. It might be added, perhaps, that a Convent is technically any cloistered house, of men or women. It is only a modern usage that applies the word exclusively to nuns. Immediately after the Restoration, all the orders which Napoleon had forbidden in 1809 recovered their legal position, and others were established. Among these, were the Jesuits, no longer suppressed, but restored by Pius the Seventh, in August 1814. They opened several schools, and had a house of Professed Fathers in Montrouge, at the gates of Paris, which became a centre of the counter-Revolution. Though they had a Provincial of Paris, they disguised their name and state. 'They denied, or made their friends deny, that they belonged to the Society of Ignatius; and they hid the truth so well that they were not un-masked for ten years.'[2] Into their hands passed the direction of the famous Confraternity or Association of the Virgin, which met in the Rue du Bac, ostensibly for charitable work, but certainly for political intrigue. It was clerical, reactionary, and exclusively royalist. 'Il était impossible que les bons chrétiens ne fussent pas royalistes.'[3] It was an aristocratic society; for the aristocrats, who had been *philosophes* before 1789, came back from their wanderings a little changed. 'They were not, perhaps, really more believing than formerly; but their interests, which bound them so closely to the priests after the Revolution, gave and increased in them a new sort of

[1] Debidour, p. 328. [2] Ibid. p. 329.
[3] Grandmaison, *La Congrégation*, p. 151.

zeal for religion. They educated their children in a rigid orthodoxy. They understood clearly that it must be through the church that they might obtain, if not their privileges, the restitution of their confiscated property. Some of them, undoubtedly, were quite sincere in their fanaticism.'[1]

Louis the Eighteenth was not so acceptable to the zealots as his brother. He still retained some of the scepticism and mocking of his youth, and was always a prince of the old *régime*. With better surroundings, he might have succeeded fairly well, but the clergy and the zealots made success impossible. Louis gave a Charter at his restoration, by which he proclaimed that 'the catholic, apostolic, and Roman religion is *la religion de l'État*' (Art. 6); though liberty and protection were granted to all forms of worship (Art. 5). Freedom of publishing and printing was allowed, subject to the laws against mis-use of the Press (Art. 8). Of course a *religion de l'État* is not compatible with genuine freedom, and this illogical compromise led to perpetual friction. The Comte d'Artois, now *Monsieur*, was given over to the clericals; and even his fanaticism paled beside the zeal of his niece and daughter-in-law, the Duchess of Angoulême. Devotion became *à la mode*, and ruled the Tuileries. 'The *grands corps de l'État* walked in religious processions. The miscreants of the Directory, the veterans of the empire, the dethroners of Pius the Sixth, and the gaolers of Pius the Seventh, figured in them devoutly. The Princes displayed themselves, candle in hand, without seeing that the Parisians, long un-accustomed to such habits, smiled as they went by. It was more serious when black masses were said for Chouans and traitors, and when the Revolution was attacked so violently during a *requiem* for Louis the Sixteenth that the king dared not have the discourse printed in the *Moniteur*.'[2]

It was not long before education was assailed. An *abbé*, Montesquiou, was made Minister of the Interior. He began by establishing a censorship for books, and an authorization for newspapers. The *Émigré* nobles obtained the restitution of all their confiscated property which had not been sold.

[1] Debidour, p. 331. [2] Ibid. pp. 333-4.

The clergy made a similar claim, but had to wait. As a compensation, their secondary schools, or *Petits Séminaires*, were to be established, one at least in each Department, out of public funds, and they were dispensed from the University course for degrees. The University itself was to be dissolved, and replaced by a *Conseil Royal de l'Instruction Publique*, with a prelate as chairman; and seventeen local Universities were to be organized, under the Prefects and bishops. 'C'était l'inféodation pure et simple de l'enseignement public à l'administration et surtout à l'épiscopat.'[1] The proposed legislation, however, was frustrated by Napoleon's return. Louis had planned more than this. He disdained to rule under the Convention of an usurper, and wished to restore the Concordat of Francis the First, and the old dioceses. This occasioned new difficulties with the existing bishops, and also with Rome. Consalvi said the Pope was infallible, and therefore the Most Christian King had no right to say he had erred in the Concordat of 1801. These negotiations also foundered during the Hundred Days, when the king found it advisable to live in Ghent. Napoleon returned almost a Jacobin, and strongly anti-clerical. He allowed the mob to cry *A bas la calotte*, and the Press to mock at the clergy. He restored the University to lay control. His Minister of the Interior, Carnot, encouraged the Lancasterian system which had been copied from England; and planned a lay and popular system of primary education. The clergy, therefore, were hostile to Napoleon. Many of them emigrated, with the Court, and others fomented insurrections. Napoleon had much trouble in the south during March and April. In May, there was a more serious rising in Brittany and La Vendée. The thirty thousand troops which were required to check it might very conceivably have turned the scale at Waterloo. Napoleon fell, never to rise again in the body; though his spirit made the second empire, and his Legend, which survived the disasters of 1870, has had, and still has, a buoyant vitality. The Bourbons came back, and with them, as before, foreign armies of occupation.

[1] Debidour, p. 336.

'The second Restoration, of which the facts are well known, provoked an explosion of wrath and vengeance towards the Revolution and the empire, which was far more violent than the reaction of 1814. We need not go into the details of the White Terror: the national army disbanded; France occupied and pillaged by a million foreigners; our generals proscribed, condemned, and shot; patriots massacred; assassination and robbery let loose in the king's name; universal delation; one hundred thousand suspects imprisoned. But it is as well to point out that in this orgy of reprisals religious passion had almost as large a share as political. Above all, it was in certain Departments of the south, in the Gard and Vaucluse, that religious animosity raged with a violence and savagery which the Government could not restrain. . . . The bishops, almost everywhere, instead of preaching peace inflamed the strife by rabid pastorals, in which they pointed out for vengeance not only the friends of the Revolution but inoffensive holders of the national domain.'[1] In all this violence, the elections were held, and they produced a reactionary Chamber, followed by a royalist Ministry. The Terror was legalized by statutes against personal freedom and the liberties of speech and writing. Divorce was abolished, as contrary to catholicism; and liberals pointed out in vain that all Frenchmen were not catholics. Another attempt was made to endow the clergy; but their claim to the unsold domains, and to a couple of *milliards* as an equivalent for those which had passed into private hands, was more than the Chamber would sanction. 'The extremists of the Right cried aloud over the spoliation of the church':[1] but more reasonable conservatives and lawyers showed that to endow the clergy with domains and capital would make them into a corporation or an Estate again; that, even under the old *régime*, no one ever disputed the right of the State to dissolve corporations; that the State was the sole and only inheritor of such corporations; that the State had no cognizance of the clergy as a body, *comme personne morale*, but only as individual ministers of a public worship, which was a public

[1] Debidour, pp. 338-9, 341.

service, to be paid for annually like any other; and that this pay was in no sense the equivalent or the acknowledgement of a debt, or of a right which did not exist. These reasons could not be disputed. They had been laid down by Mirabeau, and others, throughout the Revolution. They are in accordance with French law and practice. Their logic is unassailable. It is worth while to repeat them; because the old fallacy, that clerical salaries are a debt, still owing and eternally owable, for the 'confiscation' of 1789, has been repeated continually during the present Separation of church and State; especially by English and Italian ecclesiastics, who seem ignorant of French law, of the principles of jurisprudence, and of history. The proposal was lost, so far as the two *milliards* were concerned, though a return of the unsold estates was voted. (April 24, 1816.)

Both the University and primary education were attacked within a few weeks of the second Restoration. The grand mastership of the former was suppressed, and a commission replaced it. Many rectors and professors were removed, and were succeeded by *un grand nombre de prêtres*.[1] Primary schools were placed under the district councils, which were presided over by the *curés*. No one could open a school without a certificate from the *curés*. To them, also, was given the nomination of teachers, and full powers of inspection and control.

It was proposed to subject secondary education in like manner to the bishops; but so violent and tactless was the Chamber that Louis was recommended to dissolve it by the Holy Alliance. Reaction against these clerical extravagances produced a more liberal successor; but the campaign of the church went on, with open threats from the secular clergy, and useless plotting by the *Congrégation*. As an example, two *abbés* were convicted in 1816 for abusing the Concordat, and threatening the holders of clerical property with damnation.[2] The propaganda of the *Congrégation* was managed by the central association of the Rue du Bac; and it was extended through the Departments by the society of the *Missions de France*, founded by the Abbé Liautard. The

[1] Debidour, p. 342. [2] Ibid. pp. 344, 345.

methods of these missionaries were like those of the Salvation Army: 'its preachers were ignorant but fanatical and brazen, accomplished masters of theatrical effect, able to excite the populace. . . . They came noisily into towns and villages, and preached in the open air; railing at the spirit of the age, and the Revolution; threatening the holders of national property; organizing spies and informers; arranging spectacular processions, and compelling government officials to walk in them; holding public prayers and acts of *réparation*; assembling choirs of men and women, who sang pious canticles to the most worldly tunes; setting up calvaries with crosses sixty and eighty feet high; sparing no effort to make religion, if not attractive, at least noisy and conspicuous.'[1] Among their attractions, were bonfires of unorthodox writings. Voltaire, Diderot, and other philosophers were given to the flames; but the more they were burnt, the faster they were re-printed and circulated. A report by the Ministry of the Interior says that between 1817 and 1824 twelve editions of Voltaire and thirteen of Rousseau had been issued, making a total of 2,159,000 volumes.

Louis revived his project of a new Concordat, and tried to arrange it privately with the Pope. (1) The Concordat of Francis the First and Leo the Tenth is revived. (2) The Concordat of 1801 lapses. (3) The *Organiques* are abrogated. (4) Suppressed bishoprics are re-established. (5) Existing dioceses are retained. (8) All dioceses are to be endowed with lands or capital; as well as existing and future Chapters, *curés* and seminaries. (9) The Pope is to arrange all the dioceses by a Bull. There are fourteen Articles in the treaty, but these seven are the most important. They were objected to strongly by the more liberal Ministers, and were abhorred by the surviving Gallicans. It was pointed out that the Pope had never exercised territorial jurisdiction in France; and that these Articles allowed him to dispose of finance, since he might arrange as many dioceses as he chose, for which the Chamber must pay. These constitutional objections irritated the ultramontanes,

[1] Debidour, pp. 344, 345. [2] Ibid. p. 345.

who intrigued for a more clerical Ministry. Instead, a more liberal one came in; and though Rome abated none of its claims, and conceded nothing to French opinion, the proposed Concordat had to be 'suspended through financial difficulties'. It was dropped quietly, and Napoleon's law remained in force. The finances of the church might well terrify the nation. In 1815, the budget of worship had amounted to 11,500,000 *francs*. In 1819, it had risen to 25,000,000. To that must be added 11,000,000, for pensions, making a total of 36,000,000; and that sum should be doubled, as we must allow for the contributions of the *Conseils Généraux* and the *Communes*.[1]

The Duke of Berry was assassinated in February 1820, and that crime led to another reaction. Liberty of the person and of the Press was restrained still more, and the franchise was narrowed. Education was perpetually assailed. The aim of the clericals was two-fold: to possess and utilize the public teaching of the country; and, failing that, to have complete freedom of teaching in all clerical institutions, without State inspection, or guarantees of efficiency, or recourse to the University. When legislative attacks on the University failed, its profession and studies were libelled. At various times between 1814 and 1848, Guizot, Cousin, Michelet, Quinet, Jouffroy and other liberals were silenced, and Villemain and Michaud were expelled from the Academy. Courier and Béranger fell under the Press laws. There is no truer picture of the times than Courier gives in his delightful and ironic pages. The scurrility of the clericals would be incredible if their own writings did not remain as witnesses against them. In 1823, Lamennais charged the University 'not only with irreligion and sacrilege, but with the most flagrant immorality. He accused it of systematically perverting youth, as a seminary of atheism and the vestibule of hell.'[2] A bishop of Chartres accused the University of 'slaughtering souls', of 'authorizing theft, of the overthrow of society, parricide, *les voluptés les plus infâmes*, of encouraging sacrilegious systems, of turning its pupils into unclean beasts and ferocious animals'.[2] The Abbé

[1] Briand, *Rapport*, p. 65. [2] Debidour, pp. 372, 448.

Desgarets wrote a volume entitled *Le Monopole Universitaire*, to damage State education. There is not a crime which is not attributed to its teaching. Quinet is described as *sorti d'un ver, un impur blasphémateur*. The Professors are compared to *les boucs et les chèvres de Théocrite*. The Royal Colleges are *sentines de tous les vices*. By garbled extracts and falsified quotations, Cousin, Génin, and other reputable authors are made into slanderers of Christianity.[1] The Abbé Carle, in a similar production, praises the Inquisition as 'an instrument of liberty',[1] and 'refrains from drawing the curtain which hides the unclean secrets' of the University.[1] The curious in these matters should read *Le Ver Rongeur des Sociétés Modernes* by the Abbé Gaume, (Paris 1851). It is an attack on the classics as an instrument of education; and it not only shows the spirit of that reactionary time, but proves how hostile to any genuine and liberal education the Fathers were, from Tertullian onwards. The abbé's quotations are a terrible indictment of the church, as represented by its officials and its greatest men. Even the Abbés Desgarets and Carle are put into the shade by the Abbé Combalot, whose railings it is impossible to quote in any language. Against such misusages of the Press, the laws were not put in motion.

All this violence only meant that the clergy did not approve of lay teaching. They were jealous of the University, and not satisfied with equality under the law. They wanted privileges and exemptions for their own schools, and above all they wanted that monopoly of education which was indispensable if they were to dominate society. Their violence was not reserved for political and theological opponents. The more extreme catholics were always eager to strew epithets on the moderates. Even Charles the Tenth was not spared. A fanatical *curé* attacked him in the pulpit as 'no Christian, because he maintained the Charter, which was a law contrary to religion'.[1] Lamennais described two laws, on the *Congrégation* and on sacrilege, as 'heretical' and 'atheistical': the first, because it did not give entire freedom to the orders; the second, because it

[1] Debidour, pp. 450, 453.

did not protect catholicism alone.[1] On the smallest provocation, the clergy talked of Diocletian and Nero; and compared royalist Ministers to the miscreants of the Terror. Englishmen are so unused to these violent methods of controversy, and so few of them read the clerical newspapers of any foreign country, that they take such language far too seriously when they see it applied to current politics and republican legislation in France. Intemperate speech seems necessary to ultramontanism. From the Pope downwards, that party misuses language. Perhaps violence of thought induces violence of speech; but these methods defeat their own object, and every statement made by those who rely on them has to be discounted before it is accepted.

While the battle of education was waged incessantly, the government was neither wise nor edifying. 'Le roi était vieux, impotent, mais n'en avait pas moins encore des passions. La belle Madame du Cayla lui inspirait depuis quelque temps un sentiment aussi tendre que ridicule.'[1] Certain leaders of the ultra-catholic party utilized this charmer for their party game. They taught her to favour *la bonne cause*, and described her as 'an angel of light' combating the 'genius of evil'. They crouched behind screens during her visits to the king, to prompt and refresh her memory.[2] The Abbé Liautard and one of the Rochefoucauld did these things, *ad maiorem Dei gloriam*, and recorded them in their *Mémoires*. Such methods are, in my opinion, more revolting than any scandal of the old *régime*, which was at any rate honest with itself. Whatever the weaknesses of Louis Quinze may have been, he removed them when custom required him to be devout. The unctuous depravity of the Restoration is perhaps the most odious among its unhappy legacies.

In 1824, when Louis the Eighteenth was within a few months of his end, a Chamber was elected in which the Right had an overwhelming majority, and they proceeded to utilize it. They began by voting an indemnity to the *Émigrés*, for their confiscated property, and they received

[1] Debidour, p. 363. [2] Ibid.

a *milliard* in the following year. The Chamber voted itself an existence of seven years. It gave the king power to authorize religious communities, and enable them to hold property. So exorbitant was this clerical Assembly that it was described as 'the old *régime plus* the Jesuits and *minus* the Gallican liberties'. It welcomed the accession of Charles the Tenth with effusion; and then set itself to pass a ferocious law of sacrilege, which would have revived the barbarous mutilations and tortures of the middle ages. The original project was modified, thanks to the irrefutable logic of its opponents. Royer-Collard enunciated some principles which might well be remembered and applied. He mocked at the new crime, *lèse-majesté divine*, which he said was a contradiction in terms. 'Religion, so far as it is a dogma, is above, and therefore outside, the cognizance of civil law. To put it into a statute is to lower it, and deny its nature.' 'Man should not be vain enough to think he can avenge God': *Deorum iniurias Dis curae* says Tiberius in Tacitus, with similar wisdom. Members who kept their balance pointed out that people who misused the Eucharist, believing in the real presence, must be mad, and should be tended, not tortured.[1] The law passed, but was a dead letter, as the Courts dared not apply it. Collard ended by saying theocracy was equally damaging to religion and dangerous to society; and he added 'The theocracy of our time is less religious than political, and it utilizes that principle of reaction which is overwhelming us'.

The extravagance and folly of the clericals alarmed the country, which was even more disturbed by what it suspected than by what it saw. The occult policy and influence of the *Congrégation*, and especially of the Jesuits, increased the unpopularity of the government. The Charter and toleration were continually attacked, openly or invidiously. The old Gallican, Montlosier, wrote a scathing book on the *Congrégation* and the whole policy of the Restoration. There was a split among the Royalists, and one of the malcontents described the clerical party as 'the occult power which dominates the government, estranges the

[1] Debidour, pp. 380-2.

French people from religion, alienates them from the king, and attacks everything which is respectable. France endured a military despotism, but it will never endure an hypocritical tyranny.' Nevertheless, the clericals pursued their way, attacking every liberal institution, threatening every legal barrier, claiming every privilege, increasing the religious orders, multiplying their schools and colleges. The king was infatuated, and thought within a few days of his fall that he must win. In the middle of July, 1830, he dissolved a newly elected Chamber. On the 25th, he abolished liberty of the Press, and tampered with the franchise. Next morning, his decrees were in the *Moniteur*; but three days later, Paris was in revolt, and Lafayette was in the *Hôtel de Ville*. The king's concessions were too late; and at the end of a week Charles was on his way to England, a victim of ecclesiastical obstinacy and royal blindness.

CHAPTER VII

LOUIS PHILIPPE

After the three days of July, France gave itself a new royalty. It set up a King of the French, in the place of the King of France. The sovereignty of the people was acknowledged frankly by the House of Orleans, which after generations and centuries of opposition at last occupied the throne. The *rôle* of a Louis Philippe or a Henry of Lancaster is always repellent from one point of view, though from another it may be patriotic and inevitable. Is it lawful to save a dynasty by sacrificing its impossible chief; and if the ancestral dynasty can give something to its country which no *parvenu* can bestow, is not a younger line justified in replacing the oldest? These questions cannot be answered wholly in the negative; and Louis Philippe deserves more sympathy than he gets usually. His fault was, not that he replaced Charles the Tenth, but that his liberalism was timorous. No doubt he was in a difficult place, and liable to attack by extremists of both wings. To legitimists, he was not only a liberal, but a traitor. To progressives, he was far too royalist and conservative. But his great difficulty was the church. The hierarchy was legitimist, aristocratic, reactionary: it despised and hated the *bourgeois* king. The most influential catholics were more liberal than the Monarchy of July. They disliked all State control, and chafed against all human sovereignty. Louis Philippe was ground to pieces between these conflicting principles. His abiding fear was to have trouble with the church. He capitulated alternately to the Pope and the hierarchy, or to Montalembert and the radical clergy; and, in consequence, the liberal monarchy did more to fortify clericalism and hurt the interests of the laity than the legitimist monarchy.

The Revolution of 1830 was directed chiefly against legitimist royalty, though the church had been the worst opponent of liberty and progress. 'The nation was satisfied with overturning the throne, and did not go on to smash the altar. Catholic by long habitude, if it have terrified the priests, it is undeniable that it has seldom done them much harm. Some prelates were *conspués*, and thought themselves lucky to escape worse. Some convents and seminaries were shut. The missionary crosses were pulled down, less for the Christ on them than for the Bourbon lilies. The *Congrégation* and its tools were satirized, rhymed, caricatured, burlesqued, put on the comic stage; but the public soon tired of these amusements. Such violences as occurred, the damage to *Saint-Germain-l'Auxerrois* and the sack of the arch-bishop's palace, were an answer to legitimist provocations, and not a frontal attack on religion.'[1] 'The middle-class liberals who revised the Charter and gave the Crown to Louis Philippe did not wish to be forced to mass, but had no desire to prevent others going. Many of them were good catholics. The Voltairians held, moreover, that religion is necessary for a people, and as it had one to which it clung, they never dreamed of touching it. The administration of the Concordat and the *Organiques* worked somehow, well or ill. They thought it superfluous and possibly dangerous to patch up another. All they wanted was that France should be mistress in her own house, and be ruled by laymen. They only aimed at purging her of ultramontanism and the theocracy.'[2] In the latter, they were not very successful, and France was more ultramontane in 1848 than it had been in 1830.

The Charter was altered, and catholicism was no longer the *religion de l'État*. By Article 6, it is described as 'the religion of the majority', and its ministers are paid by State, as are the ministers of other bodies. Article 5 ordains that all religions have equal freedom and protection. The recent law of sacrilege was abolished, and the noisy *Société des Missions* dissolved. Otherwise, there was no formal change in the relations between church and

[1] Debidour, pp. 413–14. [2] Debidour, p. 415.

State. Their intangible relations, however, had been vitally affected by the days of July. The king himself, a revolutionary in his youth, and always a Voltairian, remained at bottom sceptical, ironical; but he preferred the clergy to be allies, not enemies, and he always feared them, though he was obliged to humour the liberals occasionally. Of the clergy themselves, the prelates grumbled, of course, at the Concordat; but they had learnt by experience that it was more profitable than hurtful to the church. It gave them an official rank, and material support. They wished to alter it, but by no means to abolish it. The lower clergy were not so complacent. All was not well with them because eighty bishops lived in dignity and ease. Liberalism, and even the Revolution, was leavening them. The seed of Lamennais was flowering. They pined for liberty, and for no legal or official connexion with the State.

In fact, by a strange irony, as we can see now, those two forces, liberalism and ultramontanism, which have been battling for life and death during the last half-century, were then germinating together; and the great advocates of the restored papacy were also the prophets and apostles of liberalism. The initiator of modern ultramontanism, in a popular form, was Joseph de Maistre; but his work was over-shadowed by the volcanic zeal and fluency of Lamennais.

'This priest without reproach, this Religious without fear, who lived only in his theories and was ignorant of men, had evolved an ideal church and papacy to which neither Pope nor bishops could attain. He was contemptuous of all governments, including the Bourbon *régime*, because all of them in his eyes utilized religion instead of obeying it. He repudiated all agreements between them and the Holy See. He claimed illimitable freedom for the sovereign pontiff. Political necessities did not exist for him. If Rome thought well to concede, Rome was blamable. Lamennais was thus more papal than the Popes.'[1] All this can be found also in de Maistre. These ultramontane dreamers,

[1] Debidour, p. 418.

delivered by the Revolution from the saecular bonds of the old monarchies, conceived a papacy superior to all sovereignties and all governments, exercising the plenitude of spiritual power freely, unfettered by any official relations with the State. It was the empire of Hildebrand and Innocent the Third spiritualized, and loosed from the ties of feudalism. To de Maistre and his following, the papal authority was the great barrier against revolution. The Rock of Peter was the one immovable foundation in a shifting world. Lamennais, however, came to accept the Revolution. He urged the Pope, in the name of the Gospels, to break with kings and governments, to depend wholly on the people. To argue thus is to ignore the traditions of the papacy, to forget its history, to contradict its principles, and to defeat its persistent aims. Lamennais and the papacy could not work together on these lines. He had to choose between Vaticanism and liberalism, and he was true to liberalism. The papacy was true to itself, by ejecting him. Thinkers like de Maistre and Lamennais seem to forget that the papacy differs essentially from the New Testament. In the Gospels, we find broad and penetrating principles applied only to individuals. The spheres of God and Caesar are sharply divided. In that sense Christianity can be entirely spiritual, and a matter of the conscience. But if religion be organized, and materialized, and endowed, and be looked at always as a corporation, in which the individual hardly counts, it cannot have free play, which would mean license, in any political society. Still less can it have that liberty, when it takes the form of a political State, world-wide, existing in all countries and bounded by none, ruled by a monarch. A diplomatic papacy, relying on endowed and political hierarchies, utilizing and commanding the religious orders, cannot expect or be allowed the freedom of a purely spiritual influence. This was the rock on which Lamennais was wrecked. And, for precisely the opposite reason, it is the rock on which Vaticanism will be wrecked.

Montalembert, the chief disciple of Lamennais, had all his zeal, much of his power, not so much of his prophetic fire, and only a small part of his logic. He was a fervent ultra-

montane, and he applied ultramontanism with great force to the politics of the July monarchy, and of the two governments which followed. He never understood all that his various ideals required, or whither they were bound to carry him. He tried to combine the incompatible: to be a liberal and an ultramontane. He was really true to neither side, and displeased both. He also had a large share in propagating those romantic notions of the middle ages, of the papacy, and above all of the religious orders, which would have appeared so astounding to the middle ages themselves. They would, indeed, have laughed at the romance of the cloister, and the chivalry of the *Curia*. These notions produced among ourselves the Oxford Movement; but they have been wholly superseded by our more rigorous, accurate, and scientific methods in history. Montalembert died disillusioned with the papacy, and despairing of that France to whose best traditions he had been so untrue. Nevertheless, he was a strenuous and effective combatant in his own day. After the suppression of *L'Avenir*, and the condemnation of Lamennais, he fought on with Lacordaire and Dupanloup, both of them half-liberals, and all of them in a false position. His perpetual fight was for education. He claimed absolute freedom for catholic schools, and for the religious orders. Freedom of teaching, freedom of association, freedom of meeting, freedom of the Press, were the battle-cries of Montalembert. They are lawful claims for genuine liberals, subject always to efficiency in education, control of corporate bodies, public order, and individual protection. To these checks, however, the clergy would not submit; and they proclaimed the church as the sole judge in all these matters. Many of the clergy, too, were not liberals at all. They were eager to utilize liberty as a step towards monopoly, and then all freedom would soon have ended. The starting-point of their educational thesis was the text *Docete omnes gentes*: 'Teach all nations.' In these words, Christ gave a monopoly of education to the clergy. The base of all education is morality; morality, to these reasoners, means religion; religion can only be taught by the priest; therefore the State has no right to substitute

itself for the priest, and to depose him from the most important of his functions. With these principles, leading to these conclusions, it is not surprising that the University was always being attacked, and that the whole field of education was continually disputed.

Montalembert was, I believe, the first catholic to see how party and parliamentary methods could be utilized for the church. He practised them himself with skill and success, and he was a master in all the tricks of electioneering. He was the organizer of those tactics which O'Connell used, which have made the Centre the arbiters in German politics, and which have enabled the clericals to dominate Belgium for so long.

In the course of Montalembert's campaigns, it was discovered, by Guizot, that 'children belonged to their families before they belong to the State'. This argument has re-appeared of late in our own educational discussions; and it has been used, strangely enough, by the catholics. When they argue for the rights of parents, they expose a singular ignorance of their own history and principles. The middle ages, the ages of faith, the golden age of a pseudo-catholicism, would have made short work, not only of the rights of parents, but of the parents themselves, if they were un-orthodox, that is in the minority.

And so this conflict went on, through the reign of Louis Philippe, as it had gone on through the Restoration. The king's dubious title made him even more timorous of the clergy than the legitimate sovereigns had been. He was always placating the clergy by concessions, and alienating the liberals in consequence; or, to quiet the clerical party, he would appeal to Rome, and so encourage papal activity in France. His ministers, and especially the protestant Guizot, did much harm in these ways, and bequeathed serious trouble to their successors. These tactics, which did not win or satisfy the clericals, did alienate the liberals, and wrecked the so-called liberal monarchy.

All through the reign, too, the *Congrégation* had been growing. Its schools and convents increased rapidly. By 1825, there were at least 2,000 communities of women,

teaching about 250,000 children. As compared with the 369 royal and communal schools, in 1840, there were more than 1,000 clerical institutions, besides 127 *petits séminaires*; and yet there were continual efforts to damage the State education and to favour the clerical. Cousin, in a noble speech, protested against these plots to divide France, and hurt its moral unity. 'From childhood,' he said, 'we are taught to shun each other, to entrench ourselves in hostile camps, the priests at our head. A fine apprenticeship to that civic charity which is named patriotism! And this country which, at any rate, in all its misfortunes, has preserved one asset of incalculable value, the sense of its unity, will forfeit it.'[1]

The religious orders and the secret Associations were perpetual fomenters of division and founders of sects. In 1843, the existence of a vast *Association Catholique* was discovered, which was spread throughout France. The members swore to keep secret the methods, the rules, and even the existence of the Society.[1] The occult influence of these organizations was more irritating to the country than their notorious growth. And at the head of them all, most influential, most secret, and most feared, was the revived Society of Jesus. The Jesuits progressed even more than the others. After the Revolution of 1830, which they had done so much to cause, they effaced themselves, and closed some of their houses, and waited for quiet days. Then they began to reappear *de dessous terre*, as in Béranger's poem.[2] They soon had about thirty houses of Professed Fathers, beside noviciates, yet the government affected to ignore their existence, and their friends denied it. They dominated the Court of Rome, and many of the other orders, which copied their institutions. The secular clergy were trained on their principles, and taught from their theology. They wrote, confessed, directed, and preached through all France. Their moral theology, on one side of it, has been immortalized by Pascal. 'Thanks to the Jesuits, the way to heaven grew easy, and more easy. Devotion took the place of virtue,

[1] Debidour, pp. 461-5.

[2] *Les Révérends Pères.*

and became ever more exterior, mechanical, material, an affair with which the heart had little to do. Indulgences were priced and classed as under Leo the Tenth. For 15 *francs*, one could buy a plenary indulgence for the hour of death, applicable to the purchaser, his friends and connexions to the third degree, and twenty-five other persons at his choice.'[1] Their moral theology, on another side, has been exposed by Paul Bert. In their manuals of history, French youth was taught to admire the *dragonnades* of Louis the Fourteenth, to detest and dread the whole work of the Revolution, and to rejoice in the consequences of Waterloo.

The feeling against them rose continually. The *Débats*, a moderate paper, called them *un monument vivant du mépris de la loi*; because they existed in defiance of French law. They were castigated as *hypocrites patentés, marchants d'indulgences, pourvoyeurs d'absolutions, colporteurs de pieuses calomnies.* It was urged in parliament, that 'the existence in our country of an order independent of the bishops, bound to a foreign head by a vow of obedience without reserve, is a national danger; and the old *régime* thought so, as well as the governments which have succeeded the Revolution.'[2] Their expulsion was demanded; but the bishops threatened to rouse the country if the Jesuits were touched. The Court, trembling, referred to Rome, where there was much intrigue; and a sham dissolution was agreed to by the Pope, to save appearances in France, and to dupe the liberals. It was announced in the *Moniteur* that 'The Jesuit Society will cease to exist in France, and will dissolve itself: its houses will be closed, and its noviciates broken up.' As a matter of fact, three Professed houses and two noviciates were closed, and their members divided among the twenty-five others which remained. The subjects in one of the closed houses were formed into two fresh houses that were opened in Paris itself. All these events led to a growth of liberalism, which was increased by the election and the beginnings of Pius the Ninth. The

[1] Debidour, p. 489.

[2] Ibid. pp. 465–6.

number of voters under Louis Philippe was only 200,000. Guizot had always opposed a broadening of the suffrage. The people were alienated from the monarchy. Montalembert and his allies were influential and busy with the electors. The church and the liberals coalesced after the elections of 1846, in which Montalembert carried nearly a third of the seats; and, in February, 1848, the monarchy of Louis Philippe had lived, and he followed Charles the Tenth to England.

CHAPTER VIII

THE SECOND REPUBLIC

THE church is often compared to a rock, by admiring theorists, who describe it as immutable and firm in a fluctuating world. As a matter of fact, the church is more variable than a chameleon, for it has always taken the colour, and even the form, of its surroundings. In the middle ages, it was feudal and military, copying the models of Charlemagne; under the Roman Empire it had been civic and magisterial, pouring itself into the moulds of Caesar. Bossuet found in the Scripture a justification of Louis the Fourteenth, and a prophecy of the old *régime*. The concordatory bishops of Napoleon canonized his empire; their catechism and their police duties went far beyond the monarchical theories of Bossuet. In 1848, the clergy discovered that the Gospels were republican and socialistic. 'Aux yeux du peuple, séduit par leurs généreuses utopies, le Christ redevenait le sans-culotte Jésus' The Gospel was *à l'ordre du jour* in France, in 1848, and all parties relied on it. Lamennais had found in it the most democratic principles. He preached renunciation to the wealthy, and announced a good time coming to the poor. The Liberty, Equality, and Fraternity of the new Republic were imputed to the New Testament. The bishops' pastorals took up the phrase and commented on it with tedious iteration, till a fine truth became a platitude. The clergy saw that their interest was not to oppose and dam the Revolution, but to swim with the stream. Louis Veuillot declared in his *Univers* that the Revolution of 1848 was 'a notification from Providence that France, which had believed herself monarchical, was all the time republican, and that there were no sounder republicans in her than the French catholics'. Bishops affirmed that the Republic had been proclaimed by Christ from Golgotha: that liberty,

equality, and fraternity came straight from the Gospels; and that the best friend of the people was the priest. The *Congrégation* sang in concert to the same tune. *Te Deums* were chanted in the cathedrals, and masses were sung in the open air, while ecclesiastics led popular processions and planted trees of liberty in the towns and villages, blessing them in the name of the church and consecrating the Revolution. 'Never were the clergy so popular in our country.'[1] The first days and weeks of 1848 were an idyllic time, such as France had not experienced since the fervours of 1789.

The Provisional Government was honest in its friendship to the clergy. It also recognized how much influence they must have in the approaching elections. These were held in April, and the Constituent Assembly which they produced was largely the handiwork of the church. 'The representatives whom France gave herself were not all nominated by the church, but hardly any candidate whom it opposed was elected. In many places, the *curés* led their voters to the poll, after mass. The Assembly was thus republican, but most respectful to the church.'[1] There was a minority, however, partly Orleanist and partly legitimist. Louis Napoleon had the sympathy of many in the Assembly and of more in the country; through the magic of his name, his two attempts against Louis Philippe, his long imprisonment at Ham, and his adventurous escape. There was also a Fourth Party, manœuvring in darkness, professing liberalism, but *catholiques avant tout*, and subordinating themselves and their opinions to the church, that is to clerical and papal interests. Their leaders were Montalembert, Falloux, Lacordaire, and Bishop Parisis of Langres. The Charter promised complete liberty of association, of petition, of the Press, of worship; and ministers of all bodies recognized by law were to be paid by the State. The Revolution of 1848 thus produced a large measure of liberty, a government with no prejudice against the church, no desire to hurt it, and every inducement to keep well with the clergy. The majority of the Assembly was

[1] Debidour, pp. 483-4, 485-6.

catholic. The ultra-catholic party was both powerful and popular. Its chiefs professed liberal opinions which were more advanced than those of the majority. They had every chance to put their professions into practice. The history of the Second Republic is an object-lesson in what ultramontanes really intend when they profess liberalism and liberty.

There were some attempts to liberalize the Concordat, which was made for a despotic empire, and was out of harmony with a republic. The Commission appointed for this purpose was friendly to the church. Nothing was proposed in a hostile spirit. The ecclesiastics were able to modify every liberal proposition, and to defeat any change by leaving a final decision with the Pope. It was proposed, for instance, that bishops should be elected by the people, instead of nominated by government. The clericals did not object to the elective principle, but would limit the exercise of it to the clergy. In reality, the bishops preferred nomination; and no change was made. Again, it was proposed to improve the condition of the *desservants*, by giving them a security of tenure, and a right of appeal to some ecclesiastical body; because they were entirely at the disposal and mercy of the bishop in his personal capacity. The liberalism of the bishops did not extend to the lower clergy. They preferred, as Napoleon said, a regiment to free service; and this reform was lost. 'The bishops had long ceased to be Gallican, and so the parochial clergy were being forced into ultramontanism. Could they not be brought back? Was there no means of inducing these children of the people to love and serve liberty, whom the church gave back to the people as their pastors and educators? To make the priesthood republican and democratic was in 1848 the dream of many good catholics.'[1] If the dream had been realized, it is probable that the French church might still be 'the religion of the majority', which it certainly is not at present.

The church thus held, and even strengthened, its positions in 1848. The catholic party had two ends which it was

[1] Debidour, p. 488.

bent on achieving: to restore the Pope's government in Italy, and to possess the whole system of education in France. The labour troubles, especially in Paris, in May and June, 1848, which had led to riot, and led on to massacre, drew a great many moderate people towards the clergy, as supposed bulwarks of order; and this enabled the ultra-catholics to realize their policy. Another factor, which we must now consider, played into their hands. The Constituent Assembly had made the President eligible by universal suffrage. There were two candidates, Louis Napoleon and Cavaignac. The latter was honest, and a genuine liberal. He would have no hand in forcing the papal government on the Roman republic, or in giving education to the clergy. Napoleon promised both to Montalembert, as the price of clerical support. The terms of Montalembert 'étaient fort nettes. Ramener le pape à Rome et livrer au clergé l'Université de France'.[1] Thiers, also, for his own ends, joined forces with Montalembert, and supported Napoleon on the same conditions. By aid of the church and of the *bourgeoisie*, the friends of order, and of the Napoleonic tradition, the Prince was elected by a large majority: out of 7,327,315 votes, he received 5,434,226.

'When the Prince was elected, France witnessed a strange thing. The head of the Republic was the prisoner of his allies, and they forced him to choose a ministry in which all the reactionary parties were represented, and from which republicans, in a short time, were rigorously excluded.'[1] Of these ministers, Falloux was the moving and leading spirit. He was Minister of Education; but his energies were devoted first to Rome. The Revolution broke out there in 1848. The Romans soon discovered that the liberalism of Pius the Ninth did not go very far. His Constitution was worth little, and he did not observe it scrupulously. His confidence was never given to his liberal advisers. He would not break with Austria, and lead United Italy. He fled to Gaeta, and summoned the catholic powers to restore him by force. A republic was proclaimed in Rome, with Mazzini at its head. Charles Albert was

[1] Debidour, pp. 494, 495.

more than beaten, he was wrecked, at Custozza and Novara (July 1848, March 1849). The French were sensitive about Austrian predominance in Italy. Even so, the French liberals did not intend to hurt the Roman republic, which had all their sympathies. Napoleon was a devotee of nationality, and a genuine friend of Italy. A vote of credit was given, for an expedition to Italy, to safeguard French interests, and keep Austria in check. The money and the forces were mis-used, on the President's personal authority, to besiege and take Rome, to destroy the republic, and to re-impose the papal government on a free people who had thrown it off. By the time this act had been played out, the new elections had given France an Assembly of reactionaries, and the Roman policy was condoned if not approved. It may be asked why Napoleon acted against his most cherished opinions: why he did not attack Austria instead of Mazzini, and do easily, as he might have done in 1849, what he only half did, and with difficulty, in 1859? M. Debidour has given the answer in his phrase, 'he was the prisoner of his allies.' That is the clue to Napoleon the Third's history, and the explanation of all his disasters. Napoleon did, indeed, urge the Pope to give his people institutions which were really liberal: to grant an amnesty, to secularize the government, to establish the *Code Napoléon*, to rule constitutionally, to reform. No notice was taken. Napoleon got no thanks, and never had any gratitude for this and other services to the Holy See. Montalembert's liberalism did not extend to the Roman people; and Thiers told them they were meant to be victims for the benefit of the catholic world.

The second aim of the ultra-catholics was then put in hand. Montalembert described the capture of education as *La campagne de Rome à l'intérieur.* Its general was Falloux, a conservative in politics of the school of Berryer, in religion a disciple of Montalembert; a biographer of Pius the Fifth, in a book which eulogized the Inquisition, and satirized toleration as *cette vertu des siècles sans foi.* To have restored the Pope to Rome was good, but to restore clerical education in France would be better; and we must now

examine 'the campaign of the interior', which resulted in a solid and lasting victory.

Freedom of education had been promised by Article 9 in the constitution of 1848. The Constituent Assembly proposed a law that should realize the promise. It was framed by Carnot and Jules Simon, both of them staunch liberals, and it was based on the scheme which Thiers had submitted to the Assembly in 1844. Its broad principle was to maintain the rights and *status* of the University; and to affiliate voluntary, private, free education to the national scheme, subject to State inspection and control. As we should say, voluntary education was to be encouraged and recognized, so long as it was efficient and in harmony with public opinion. This scheme of education, wisely and properly, maintained the rights of the State, and the administrative supremacy of the University.

As the term University is mis-leading to English readers, it may be as well to explain what it signifies in the French usage. The word has two meanings in French, and they are thus defined in the admirable *Dictionnaire Général* of MM. Hatzfeld and Darmesteter. '(1) Centre d'enseignement supérieur, divisé en groupes (facultés) dont chacun confère des grades (baccalauréat, licence, doctorat). (2) Université de France, corps privilégié, chargé (depuis Napoléon I^{er}) de donner au nom de l'État l'enseignement supérieur (facultés), secondaire (lycées et collèges), primaires (écoles primaires) sous la direction du ministre de l'instruction publique, dit grand maître de l'Université.' The former of these definitions is what we understand by an University. We have, as yet, nothing so logical and comprehensive as the administrative body which is described in the second definition. If we combined and co-ordinated the functions of the President and Board of Education with the old School Boards and the present County Councils, and our various Universities, we should have something which resembles the *Université de France,* though still short of it. This approximate meaning of the term University must be remembered if the *Loi Falloux* is to be appreciated.

Falloux's design was the contradictory of the schemes

which had been drafted by Carnot and Thiers. It was entrusted to a Committee of twenty-four, of whom Falloux was president, and Thiers vice-president. The latter had renounced his genuine liberalism, and lent himself to various reactionary movements, partly through a fear of socialism, but also for his personal objects. On the commission were only six members of the University, a quarter of the body; and even those were allies of the clericals. Montalembert, Dupanloup, Sibour, Falloux himself, and others, represented the ultra-catholics. The socialist terror was played effectually on the moderate and bourgeois liberals. 'La tempête était déchaînée; la tourmente révolutionnaire et socialiste menaçait d'emporter les bases même de la société, la famille, et la *propriété*. Il fallait se serrer autour de la religion, qui seul pouvait préserver notre pays d'un complet naufrage. Thiers, plus désireux encore que Louis Napoléon de complaire au clergé, se déclarait convaincu, subjugué par l'éloquence de l'abbé Dupanloup, quand ce dernier lui représentait que la cause de la Congrégation et des Jésuites en particulier était celle de la justice et de la vertu.' This was the line of argument. Thiers, convinced himself, embellished it with his eloquence, and drew Cousin with him almost the whole way. The plan of Falloux was not so much to destroy the University as to dismantle it, and then occupy it for the benefit of his party. Montalembert's ulterior design was complete freedom of voluntary education, without any check, or control, or guarantee by the State; though public money was not equally proscribed. The University, in fact, was to be swamped by its enemies, who, under cover of its name, were to disintegrate and weaken the State system, discourage every teacher, and give every privilege and facility to the *curés* and the *Congrégation*.

The first Section of the measure dealt with the supreme and central authority; and this was so organized that 'the educational functions of the State were reduced to impotence'. The old *Conseil Royal de l'Université* was changed into *Le Conseil Supérieur de l'Instruction Publique*. It consisted of three bishops, two protestant ministers, three coun-

cillors of State, three members of the *Institut*, all elected by their peers; and there were three representatives of voluntary education, chosen by government. To these fourteen, appointed for six years, were added eight members of the University, appointed for life, but removable at any time by the *Conseil d'État*. These eight formed a permanent committee: but, beyond the promotion of University teachers, they were only a committee of advice, having neither legislative nor executive powers. In their functions, the representatives of the University were helpless: in matters of opinion, they were an impotent minority in the *Conseil Supérieur* of twenty-two. The functions of this Council were, to advise in the regulation and administration of State education; on the examinations, the schemes of teaching, and the inspection of voluntary establishments; on the grants made to them; on the foundation of new *facultés*, *lycées* and *collèges*; on what books should be authorized in State schools, and forbidden in voluntary schools; to be a court of appeal in matters of discipline. The supreme control of education was thus filched from the University, which, in the person of its eight representatives, was merged and even submerged in the new Council of twenty-four.

Its authority in local or provincial education was disintegrated more thoroughly. There had been twenty *Académies*; that is, in the French meaning, twenty regions or districts organized for higher education, each of them subordinated to the University of France. The Falloux Law divided the country into eighty-six *académies*; of which the rectors could be simple *licenciés* (not graduates), and not University men at all. They had no powers over the voluntary schools. All administrative power was lodged with the *Conseils Académiques*, which were responsible for secondary and primary education. The members of these Councils were the rector and one inspector, the sole representatives of the University, and the first not necessarily belonging to it. Besides these, there were the bishop, and one ecclesiastic nominated by him; one minister from each of the protestant or Jewish consistories in the

Department, if there were any; the *Préfet*, one *Procureur*, one member of the court of appeal elected by his colleagues, and four representatives from the *Conseil Général* of the Department. The Council was not much more than a consultive and advising Board, except in a few matters of discipline connected with the teachers. It will be seen from the number, eighty-six, that each Department was made into an *Académie* for purposes of Education. Falloux was reproached by the clerical extremists with *multiplying* the hated University by eighty-six. He knew only too well what he was doing, and retorted that he had *divided* it by that number. Certainly he had disintegrated it, and broken its power. Its only representative, the weak and bogus rector, would be impotent, both in council and before the public, as compared with the bishop of the Department. The University was of less account in the *Conseils Académiques* than in the *Conseil Supérieur*.

The schools themselves were of two kinds: Public, that is maintained by the State, the Departments, or the Communes: and Private, that is conducted by individuals or associations. This word covered and included the religious orders, and thus ran counter to all previous laws and the whole tenour of French administration. The inspection of secondary schools was entrusted to inspectors general, or *inspecteurs d'académie*. Over the primary schools were appointed, not only the *inspecteurs primaires* but the *maires* and the *curés*. In the case of voluntary schools, the inspection was illusory, and was concerned only with morality, health, and sanitation. In matters of teaching, the inspectors were only competent to interfere if anything immoral or illegal were taught. As to efficiency and subjects, they had no power.

The teaching in the primary schools had to be moral and *religious*. In the practical sphere it was limited to reading, writing, the French language, and the metrical system, that is the simplest arithmetic. The law which had made it obligatory and free was repealed. The *écoles normales primaires*, the training schools for teachers, were suppressed, as nurseries of republicanism. With regard to teachers,

everything possible was done to harass, discourage, and almost penalize the lay teachers, and to encourage ecclesiastical teachers. For the latter, the recommendation of a *curé* or of an ecclesiastical superior took the place of academical certificates, degrees, residence, and all that is implied by University guarantees. It was hoped that primary education would pass almost entirely into the hands of the *Congrégation*. The church was most interested in this branch of education, because it is connected necessarily with political influence in countries which have universal suffrage, or the semblance of it. For women, the facilities and privileges given to ecclesiastical teachers were even greater than for men; and the obstacles in the way of lay governesses were greater. The *petits séminaires* were favoured and organized so as to constitute a sort of ecclesiastical University, wholly independent of the State, though maintained by it. This was the famous *Loi Falloux*: 'La grande charte de l'enseignement clérical en France;' or, as Lacordaire said, 'A nineteenth-century Edict of Nantes.'[1] The University was thus weakened at the centre, and practically abolished in the Departments.

The Falloux ministry was gone before the law was presented to the Assembly, and the succeeding Cabinet desired to modify it, especially by reducing the eighty-six *Académies* to their previous number, and by giving the ordinary tribunals a jurisdiction in matters of discipline. These amendments were defeated, however; and the debates only rendered the measure more clerical. The liberals fought hard, and made some memorable speeches, especially Victor Hugo, who summed up the law in a few pregnant phrases. 'C'est une loi stratégique; c'est une loi qui a un masque; c'est une confiscation qui s'intitule donation; c'est un monopole aux mains de ceux qui tendent à faire sortir l'enseignement de la sacristie et le gouvernement du confessionnal.' The liberals prophesied that the catholic triumph would be a national danger, as indeed it proved. The catholics themselves were dissatisfied, and wanted more.

[1] This account is a summary of M. Debidour's interesting and lucid pages, 501-12.

Parisis of Langres deplored that the University, that 'cauldron of immorality, atheism, unbelief, anarchy, and revolution', was not utterly demolished. Montalembert had to comfort and restrain his friends, as well as to reassure the moderates. For their benefit, socialism was painted red, and they were implored to rally in defence of their properties and families, by the help of the church. Thiers justified his apostasy by the same reasons. The new Ministry was languid in its support. 'It was felt that the head of the State abandoned with regret its most precious rights and duties to the church; but he said nothing: and gave no hint that he might one day take back from his allies a part of that which he was surrendering.' The law passed on the 15th of March, 1850. The catholics thus gained from the Republic more than the Restoration or the Monarchy of July had given them; and yet they were not satisfied. Louis Veuillot railed against the law. The bishops were urged to lend no hand in working it. Pius the Ninth said it was not a full satisfaction, but only a stage in the progress to something better. At any rate, it kept France shamefully illiterate, and enabled the clergy for many long years to deceive and agitate the ignorant voters, in the interests of the papacy. It was a fitting prelude to the second empire, which was so largely occupied with the Roman question, and in the end was wrecked by it.

The liberalism, the republicanism, of the catholics in 1848 had all evaporated by 1850. Their odious extinction of the Roman republic and their attack on education had been demoralizing. Even more demoralizing were their arrangements with Louis Napoleon. It will be remembered that Montalembert had clamoured for universal suffrage, freedom of meeting, and freedom of the Press. He soon proved that his notions of liberty were peculiar, and disingenuous. In 1850, the ultra-catholics supported a law to narrow the franchise, in order to exclude the proletariat of the towns, which was '*peu dévot*', and therefore inconvenient to the clericals. It was a migratory population, and by making a three years' residence the qualification for a vote, about three millions of them were disfranchised. This was in May

1850. In June, Montalembert and his friends supported a law which suppressed indefinitely all rights of public meeting. In July, they voted for an increased severity of the Press laws, which were already intolerable. 'These liberals, who formerly extolled the principles of 1789, wanted liberty now only for themselves. As they enjoyed it fully, it seemed just to deprive their opponents of it.' [1]

Having secured education for the church, the ultra-catholics proceeded to utilize charity for their political designs; so as to secure for the clergy new and more powerful means of social influence. All the legislation of this period *en matière d'assistance publique* gave the clergy a dominating influence, and in some directions gave the *Congrégation* a monopoly. Their friends cried out because the unauthorized communities could not also benefit, and so were 'hindered in their good works'.

By this time, the presidential term was ending, and Napoleon was looking forward. He courted the church sedulously; edifying the populace in his official journeys by his deference to the bishops; scattering his alms among convents and churches; purging the schools and *lycées* of suspected teachers; purifying the University of Michelet and of those who agreed with him. Montalembert praised him in the Assembly, eulogizing 'with emotion' his great services to the party of order. A revision of the Constitution was proposed, so that he might be re-elected; and Veuillot began a noisy campaign to support this. The motion was defeated in the Assembly; and Montalembert joined an intrigue to gain votes, and if necessary to appeal to the people against the Assembly. Meanwhile, Napoleon and his intimates had prepared a different stroke. Early in the morning of December 2, the Assembly was dissolved, and the Constitution torn up. The republican generals were imprisoned; and the people were incited, by the threat of anarchy, to give the Prince an authority similar to that of the Consulate. A Dictatorship would have described it better. Two hundred and twenty representa-

[1] Debidour, p. 513.

tives, who had met, were imprisoned. The Press was muzzled; and there followed some shooting and proscriptions. Then France was invited to ratify the *Coup d'État*, and justify Napoleon. The red spectre was always held up, flaming and glaring, before the owners of property. Montalembert did not fail to join in the murder of liberty. On the 12th of December he wrote to the public: 'To vote against Louis Napoleon is to encourage the socialist revolution. . . . I remind myself of the great religious acts which have signalized his government: liberty of teaching guaranteed; the Pope re-established by French armies; the church allowed once more to meet in councils and synods, replaced in its dignity, and witnessing the steady increase of its colleges, communities, and works of charity.' The clerical Press chanted the *Coup d'État* as a grace of God. Louis Veuillot thanked God that France had a government and an army, a head and an arm; that iniquity trembled before justice, and law reigned instead of crime. The bishops spoke in the same way, and the clergy voted Yes. 'Les religieux s'inclinèrent très bas.' Dupanloup, Ravignan, Lacordaire, to their great honour, held aloof from the pervading servility, or spoke against the prevailing despotism.

On the 21st of December, 7,500,000 votes proclaimed that Napoleon had done well; and the catholics had their reward. Bishops, churches, convents, were laden with gifts. The Pantheon was restored to ecclesiastical uses. Authorization was made easier and quicker for the communities. The teaching body was cleared thoroughly of liberals, and lay teachers lost all security of tenure. Philosophy was almost proscribed; and, by a system of alternative studies, 'La jeunesse fût détournée le plus possible des fortes études littéraires où se forme et se virilise la liberté de l'esprit.' Sixty-eight representatives of the people were banished. The last champions of liberty were transported as convicts to Cayenne. France was given into the hands of a despot, with irresponsible ministers, and dependent Assemblies without power. All freedom of meeting was forbidden, except to the church. The Press was put under despotic

regulations. And Montalembert approved. 'The man, who formerly, in the name of religion, had made himself the advocate of all freedom, continued silent.' He only grew cold to the Napoleonic despotism when it ventured to modify the *Loi Falloux*, very slightly, in a lay and liberal direction. By all these things, the liberalism of Montalembert may be judged.

CHAPTER IX

THE SECOND EMPIRE

By eight million votes, the empire of Napoleon the Third was approved, in November, 1852. For several years, there was a perfect understanding between the emperor and the church. There had never been in France a government so anxious to please the clergy. Napoleon recognized clearly how much he owed them, and they perceived that he must rely on their good will. He was always the 'prisoner' of the catholics who had secured him the presidency, and then crowned him. Charles the Tenth was not so devout as Napoleon seemed. The Most Christian Kings were not so reverent to the Pope and the clergy as the ex-Carbonaro who had borne arms against the papacy. That youthful indiscretion was ignored, for the moment. The Pope blessed the new empire. Episcopal incense, material and metaphorical, wreathed about the emperor; and the *curés* prostrated themselves before his sacred majesty. He had restored the Pope, and maintained him by French bayonets. Pius the Ninth was the despotic master of the Romans, and his spiritual sovereignty began to increase as the empire was established. The French bishops flouted the *Organiques*, came and went between France and Italy as they chose, corresponded freely with the Vatican, received and published official directions from it without any reference to the civil power. In a repressed society, the church alone exercised a freedom of public meeting. Cardinals were senators by right. The salaries of all the prelates were increased. The *budget des cultes*, which had been 42,000,000 under the republic, had risen above 46,000,000 by 1858. All the high officers of State and of the Departments were zealous frequenters of ecclesiastical ceremonies. Processions were displayed in the streets, attended by civil and

military pomp. The *missions à l'intérieur*, which have been described under the Restoration, began again. Religious orders of every kind, authorized and unauthorized, swarmed into the country. From 1814 to 1830, the Bourbons had authorized 648 communities of women. The second republic had authorized 207, nearly all of them under Napoleon's presidency. In the first eight years of the empire, 982 were authorized. Many communities were subsidized by government. The wealth of them all grew at a surprising rate. Few occupations are so lucrative as the profession of poverty. In the same eight years, the authorized communities acquired 9,000,000 in gifts, and 25,000,000 from other sources. They owned 14,660 *hectares* of land (a *hectare* is about 2½ acres). The value of their sites and buildings was about 105 millions. The amount of their investments was not declared, but it probably exceeded their visible property. The income and funds of the unauthorized *Congrégations* are also unknown. The laws which referred to the *Congrégation* were not enforced. Neither its statutes, nor its expenditure, nor its members were enquired into, as the law intended. 'Monks and nuns could escape legal processes by changing their houses or their names. Convents became sanctuaries once more, which the police and justice dared not violate.' The *Loi Falloux* bore the expected fruit. In thousands of *communes*, the public schools fell to the *Congrégation*. During the twenty years which ended in 1863, the number of teaching brothers and nuns had almost trebled, their schools had more than doubled, and their pupils were nearly half of all the children who were being educated. The mere 'letter of obedience', that is the certificate of membership in an order, was an easier entrance to the career of teaching than was required from lay aspirants. Besides, the religious were exempted from military service, and travelled free on the railways. Secondary education was being absorbed even faster than primary, and the church was teaching about 45,000 boys. The University was neglected and repressed, and its greatest voices were silenced. The various confraternities

and the nursing orders were spreading the influence of the church. The *Propagation de la Foi* had an income of 3,000,000, of which 2,000,000 came from France. The Society of Saint Vincent of Paul had 2,814 *conférences*, or local organizations, and 1,360 were French. The Press was gagged in the interests of the church. Licenses of *colportage*, for peddling books, were refused except to 'good' literature. Louis Veuillot continued his paeans, describing Napoleon as *vraiment grand, libéral, royal*, as 'a gift of Providence'; and the clerical Press echoed his resounding words.[1]

The second empire need not detain us long. We are concerned only with its relations to the church. They are too frequently overlooked in general histories, but they are the key-note of the reign. It has been advisable, therefore, to explain the close ties which were formed so early between the ultra-catholics and Louis Napoleon. They had a large share in making him president, and then emperor. From the Pope downwards, they approved the *Coup d'État*. Without catholic support, the empire would probably have failed ingloriously. Its foremost catholic supporters were professed liberals; and their chief, Montalembert, was implicated in the plots which led up to the *Coup d'État*. It has been necessary, also, to show the intimate relations between the church and the emperor during the first years of his reign. The account which I have given, and which I owe in its summarized form to M. Debidour, proves the extent of Napoleon's dependence. It shows, also, two other things. First, that the Concordat was quite useless, either to restrain the *Congrégation*, or to resist the papacy; and, secondly, it shows the strong position, the enormous influence, the dangerous privileges and immunities, and the more dangerous precedents, with which the third republic had to deal in connexion with the church when it succeeded the imperial *régime*.

We need hardly refer to the general politics of Napoleon the Third. He began his reign with the phrase *L'Empire*

[1] Debidour, pp. 525-30.

c'est la Paix; but the defensive *Marseillaise* was supplanted by a dynastic and aggressive tune; the banners of the republic were charged with imperial thunder-bolts and eagles, the emblems of an aggressive family; the laurelled head of its reigning and conquering chief was flaunted on stamps and coins; the birthday of the founder, the *Fête Napoléon*, was made the national holiday; the base of his column in the Place Vendôme was hung with memorial wreaths, and watched by veterans; his tomb in the *Invalides* was thronged with devotees; the dome above it, new-gilt and glittering, and his triumphal arch, were the two conspicuous objects in any view of Paris. It was impossible to forget that his remains lay near the 'banks of the Seine among the French people whom he had loved'. His spirit, moreover, was believed to haunt the Seine, alert and armed, striking at his destroyers, one by one. Russia was humiliated first, and then Austria. The turn of Prussia was to follow. Then England, the old stubborn enemy and arch-offender, after being used and flattered, was to be dealt with last. Such, it was rumoured, were the plans of Napoleon the Third; and some of them were carried out. We cannot, however, eliminate the designs and character of Nicholas the First from the causes of the Crimean war. The principle of nationality, and above all the cause of Italy, was a genuine and honest enthusiasm with Napoleon the Third, and this explains his war against the Austrians. The revelations of Bismarck have shown where the chief responsibility lies for the war of 1870; and the history of the last forty years has proved how much Europe and civilization have suffered and been degraded by the defeat of France, by the rude and cynical diplomacy of Berlin. Perhaps of all the sovereigns in the second half of the nineteenth century, Napoleon the Third is the most romantic and interesting. He knew best how to maintain a sumptuous and splendid court. In spite of defeats, and mischief, and mistakes, France must look back with some pride and some regret to the eighteen prosperous and striking years of the second empire. Napoleon himself was a melancholy and mysterious person. His writings reveal a man who is

much better than the ruler. He was always grateful and faithful to his friends, and very kind to individuals. He was a dreamer of generous dreams, which he strove in vain to realize. The France of his day was too evenly balanced between liberalism and clericalism. Napoleon could not adopt either one or the other decidedly, or with safety. He wavered and vacillated; and, between the two, he was reduced to impotency. He was the 'prisoner' of the clericals, and the maintainer of the Temporal Power, and yet the foremost champion of United Italy. In the conflict of those dramatic forces he was crushed. To please the clericals, he restored and maintained the Pope, and so lost Italian help when France needed it most. To please the liberals, he made United Italy possible, and the absorption of Rome inevitable, and so alienated the French ultramontanes. The blame for these contradictory policies was not his alone, since France herself was torn in two by liberal and papal sympathies; but the full penalty was exacted from her ruler, who symbolized these contradictions in his own person. It is possible that history may deal more tenderly with Napoleon the Third than his contemporaries dealt. From the church he received no gratitude, and by the liberals no extenuating circumstances have been admitted; and yet every revelation from Berlin has lightened his burden, and fuller knowledge will probably transfer most of it to the Prussian who cajoled and duped him.

In return for his great services, Napoleon asked Pius the Ninth to crown him in Paris. Pius was not eager to go, but he was willing to make a bargain. 'Si l'Empereur veut que j'aille en France, il faut qu'il m'ouvre la porte. Qu'il abroge toute disposition, tout décret contraire au Concordat. Je laisserai passer trois mois *pour éviter à l'arrangement l'apparance d'un marché*, et puis, en voiture.'[1] The Pope wished the *Organiques* to be eliminated; but Napoleon dared not sacrifice them, nor those parts of the *Code Civil* which Rome disliked, and the negotiations failed. The emperor was mortified and irritated; and he

[1] Debidour, p. 585.

showed his displeasure by liberalizing the *Loi Falloux*. The *Académies* were reduced from eighty-six to sixteen, by which episcopal influence was also reduced; and the new rectors, with their larger districts, became officials of some consequence. The appointment and removal of all public teachers was taken from the departmental councils and given to the *Préfets*.

This was in 1854. At the end of that year the Pope made a *Coup d'Église*, which was more revolutionary than the emperor's *Coup d'État*. He defined, on his own authority, a question which had agitated the schools for centuries, and ordered his decision to be accepted as a dogma. Never before had a Pope decided a matter of faith alone, without a council. In this case, Pius assembled a selected number of the bishops to hear his judgement, but their opinion was not asked. They heard, and believed. This was an experiment, and it succeeded. The episcopate made no protest. Only a few Gallican legists hesitated to receive the Bull; and their hesitation was increased because many French bishops accepted and promulgated it without waiting for an official sanction by the government. This act of Pius the Ninth was a feeler, a *ballon d'essai*, to see what the episcopate would tolerate, and the governments accept. There was practically no resistance, no protest or difficulty; and Pius moved on steadily towards that goal for which he was so eager, namely, the definition of his infallibility. In this policy he was encouraged and supported by the Jesuits, whose logic had always pointed in that direction, whose principles and position necessitated the fullness of papal absolutism. They had long believed and practised what they were now preaching; and, for the next fifteen years, all their efforts were directed to obtain this end. The history of this movement has not yet been written, and perhaps never can be fully. Noise, calumny, intrigue, piety, the Press, the pulpit, the confessional, the altar, were all utilized; nothing was omitted or neglected which might help to achieve the end. Only those who were in touch with Romanism and Romanists in those stormy years can realize the turmoil of the church. The ecclesiastical Press

and the controversies of that time must be sad and shameful reading if any one venture into it. Manning in England, and Louis Veuillot in France, were the leaders of the campaign, and the Jesuits were the drilled army. The definition of 1854 was the first stage in the pontifical progress, the first definite act. It was a most effective one. The Pope did not claim infallibility, but exercised it, and left others to make the claim. As his exercise was unchallenged, his claim could not be disputed afterwards. It might be explained, but could not be explained away. It only remained to define and regularize that which had been committed, in which the whole church was an accomplice, and which could not be repudiated without stultifying both Pope and church together. It was an astute policy, and eminently shrewd; but neither so courageous nor so desperate as it seems. Rome and the Jesuits had taken the measure of their episcopate, and had not misjudged it. The wisdom, however, of the Jesuit and ultramontane policy still remains to be demonstrated.

The next step in the papal programme was the encyclical *Quanta Cura*, with its annexed *Syllabus* of errors. It was proposed in 1862, but not published until 1864. In this document open war was declared against modern thought, against every principle and institution of modern society. It was a formal condemnation of 1789, and of everything which the Revolution had established. It was aimed particularly against France, the maker and propagator of the Revolution; the country which, so far, had carried out its principles most thoroughly. The Pope's theoretical dislike of France was aggravated in practice by the Italian policy of Napoleon the Third.

'This two-fold profession of faith, which seems to bring back the middle ages, was a formal condemnation of all those liberties which have been conferred by the Revolution. It condemned with a *naïve* and brutal frankness, not only the rights of conscience, of philosophy, of science, but the elementary principles of those legal and political theories which France had proclaimed in 1789, and which most of Europe had copied from her. Pius the Ninth was, perhaps,

more exacting in his claims than Gregory the Seventh and Innocent the Third. He declared that the church is in itself a complete and perfect society; independent, by right, and in all respects, of the temporal authority; that it is superior to the State; that it has the exclusive right to educate. The Pope condemned the theory of national or popular sovereignty, and the practice of universal suffrage. He denied freedom of worship to non-catholics, and all freedom of the Press, and of speech. He claimed for the church a coercive power. In matters of controversy with the State, he arrogated for the church rights which no modern government can recognize. He desired for the church a right to interfere with civil legislation, so as to abolish toleration and even justice to non-catholics. He condemned civil marriage.'[1]

Taking up a phrase of Gregory the Sixteenth, Pius brands liberty of conscience and worship as a *deliramentum*: freedom of speaking and printing as *libertatem perditionis*. He will not tolerate any right in the civil power to come between the Pope and every christian individual: a doctrine which destroys the civil power, and leads both to anarchy and despotism. He castigates the opinion that in politics accomplished facts become right, merely because they have been accomplished, *in ordine politico facta consummata, eo ipso quod consummata sunt, vim iuris habere*; forgetting, apparently, his own approval of the *Coup d'État*. The whole encyclical is written in the pious, vague, and turgid style which is a *spécialité* of pontifical documents. It is also in a base and lumbering Latin, which is very different from the flowing prose of Leo the Thirteenth. An impartial reader must be struck, in every paragraph, by the exaggerations. Modern society is painted all in black. The picture is nothing but shadow, and therefore has no truth. Society has no aims but material ones. Its education is necessarily corrupt. Its philosophy is not only erroneous, but malicious. No one can look honestly at the world, and say that the encyclical describes

[1] Debidour, p. 588.

it. The results which Pius anticipates do not happen. They are not true of individuals, or of society as a whole. If they were, society would perish. It is a diagnosis manifestly untrue, and therefore one has no confidence in the physician. The eighty clauses of the *Syllabus* cover the whole field of human activity. The forty-second and forty-third clauses are worth recording, as they refer to the matters in dispute at present between France and the Vatican. Clause 42 condemns as an error the principle that 'In case of a legal conflict between the two powers (civil and ecclesiastical) the civil law must prevail'. Clause 43 says 'It is erroneous that the civil or lay authority has the right to break, to denounce, and to nullify the solemn agreements (concordats) made with the apostolic See, concerning the rights and practices pertaining to ecclesiastical immunities, without the consent of that See, and in spite of its protests'. The policy of the French government is anticipated and condemned by these clauses. If the *Syllabus* be authoritative, the Pope is bound to protest against any renunciation of the Concordat, on principle. No modification of the law can satisfy him. He cannot accept any solution which is imposed by the civil power without consulting him. No concession, but only submission, can settle the difficulty. Finally Pius the Ninth abhorred the notion that 'The Roman Pontiff can and should reconcile himself and come to terms with progress, liberalism, and modern civilization'.

Modern civilization, modern thought, modern societies and polities being thus condemned, we might fairly ask the Pope to show us something better. He says the church is a perfect society. When he wrote those words he was a temporal ruler, exercising sovereignty. The Temporal Power and the Papal States were the most absorbing question in European politics between 1840 and 1870. How, we may ask, did the Pope rule his own States and people? What did his theories produce, in the place where he was free to work them out unhindered? We might expect to find an earthly paradise. Let us enter the perfect society as it existed under Pius the Ninth himself, as it was

seen by Edmond About, who thus described it in 1859, 'The Roman catholic church, which I respect sincerely, consists of 139,000,000 people, not counting the little Mortara. It is governed by seventy cardinals, or princes of the church, in memory of the twelve apostles. . . . The cardinals are made by the Pope, and the Pope is made by the cardinals. From the day of his election, he becomes infallible. . . . In 1859, the bishop of Rome is temporal sovereign over four million *hectares*, and reigns over 3,184,668 human beings, who cry aloud.'[1] They complain of arbitrary power; of a hopeless confusion between legislative, executive, and judicial functions; that papal infallibility in civil matters is unendurable; that they want law, not caprice. All offices and functions are in clerical hands: 'they are men, doubtless, excellent in the sight of God, but insupportable to the public; strangers often to the country, sometimes to public affairs, always to domestic life, which is the foundation of society; they are without special knowledge, except in the affairs of heaven; without children, which makes them careless of the future, and without wives, which makes them dangerous in the present; incapable of being reasonable, since they claim a share of the pontifical infallibility.'[1] The 3,000,000 subjects of the Pope were taxed almost out of existence, and their industry was ruined by unwise taxation. They were burdened with police, yet neither life nor property was safe. Society was corrupted by informers and terrorized by spies. The prisons were numerous, and always full. There was no proper means of communication. Roads were seldom made, and never repaired; and Gregory the Sixteenth thought railways dangerous to salvation. The country was devoured, and the towns infested, by monks, producing nothing and acquiring much. There was no sanitation in the towns, no drainage in the country, no efficient cultivation. Trade was in the hands of monopolists, to the public loss. Fees and favouritism were the only means of promotion. Justice was hardly attainable, and was ruinous. Education was deficient, was discouraged, and the people were illiterate.

[1] About, *La Question Romaine*.

There was no freedom, either mental, political, theological, or personal. The Papal States were everything which a State ought not to be. They were a scandal to Europe. The civil authorities, whom the Pope condemned, urged him continually to reform his own government; to make it tolerable and decent. It was so insupportable that the Pope had to be protected from his subjects by foreign soldiers. The papal theories did not produce prosperity, or justice, or a contented people. Materially, they resulted in failure and misery. Morally, they were even more disastrous. Misgovernment produced dissatisfaction, and repression violence; and then their victims were punished for being criminal. Legal opposition was impossible under an arbitrary government. The theological claims of the papacy were extended into every sphere of political and civic life. In judging the papal theories by the standard of modern societies, we must not forget that the papal government has given us an object-lesson, by showing us how they work out in practice.

'The little Mortara,' of whom About speaks, is an illustration both of that practice, and of certain claims which ultramontane educationalists have been making recently. He was a Jewish child, living in the Papal States, baptized, without his own volition or his parents' knowledge, by a catholic nurse. The affair became known to the clergy; and the child was taken from his parents, placed in a religious institution, and brought up as a catholic. The parents objected to the loss of their child, and to his proselytism, which began as a fraud, and was maintained by force. The matter was an European scandal, circulated by the Press, and occupying diplomatists; but the papal government listened to no remonstrances. The child was never returned to his parents, and was brought up, against their wish, as a Roman catholic. We have heard much, recently, about the rights of parents in education, especially from the English and Irish Romanists. Such 'rights' were not recognized, as I have pointed out, by the mediaeval church. This incident shows how little they were respected, even in our times, and in a place where the church had sovereign

authority. There was a similar case in 1864, when a Jew named Cohen was abducted and retained.

'The States of the church,' says M. Debidour, 'continued to be governed arbitrarily by priests. Obscurantism, the Inquisition, and contempt of the modern spirit were displayed in them at their ease. The army of the French republic covered with its flag this resurrection of ancient servitudes.... The inevitable justice of things has decreed that 1849 should produce 1870, and that the expedition to Rome should be as fatal to the second empire as it had been shameful to the second republic.'[1]

The *Syllabus* was most awkward and perplexing to liberal catholics, as it implicitly condemned them, and struck at their position. Dupanloup argued that the Pope condemned only the 'excess' of liberty; that he rejected the principles of the Revolution, but could make terms with it if necessary; in other words, the church did not appeal to force when it was weak, but always reserved its claims. One bishop, Lecourtier of Montpellier, protested against the *Syllabus*, and his objections are worth remembering. 'If every pontifical rescript must be accepted with absolute submission, Rome might send to-morrow the deposition of Napoleon the Third, as Hildebrand deprived Henry the Fourth of the empire, and loosed Germany from its oaths of obedience, and the French catholics would have to submit passively. It is a system, no doubt, like any other, but it is a little astonishing in 1865.' 'Among French catholics, those who were not thinkers wondered at the papal directions without discussing or understanding them, without feeling any need to obey or defend them. Others held generally that, as the *Syllabus* was at least imprudent, the less said of it the better. As to militant *philosophes*, and *savants*, and free-thinkers, and liberals, and radicals, who made it a point of honour to resist clericalism, they were filled with glee; they would have been really disappointed if the Pope had not published his views, and they were at no pains to disguise theirs.'[2] The intractability of Rome

[1] Debidour, p. 501. [2] Ibid. p. 593.

is wonderful. The Emperor tried many ways of solving the Roman question, without prejudice to Italy, and without sacrificing the Temporal Power. Among others, he proposed, instead of the sole French occupation, a body of troops furnished by the smaller catholic powers, to avoid jealousies; a subsidy by all the catholic States; an international guarantee of the remaining papal territory. To the subsidy, the Vatican replied that nothing would be accepted unless it took the form of a compensation for annates, and for the old 'canonical rights' over vacant benefices.[1] It is a maxim of canon law that there is no prescription against the claims of the Roman church: what it has claimed once, it claims always; and this claim goes back into the middle ages, when the whole structure of society and the relations between church and State were entirely different; when the papacy also was entirely different.

As the years went by, the empire was rapidly undermined from two sides at once. Napoleon achieved his Italian campaign of Magenta and Solferino, which drove Austria out of Italy, and made the Italian kingdom a possibility. These acts, and their consequences, produced a strong ultramontane opposition in France, and broke the close alliance between the clergy and the empire. That opposition was strengthened considerably by Thiers, who was a resolute opponent of Italian unity. On the other hand, through clinging to the Pope, the Emperor was assailed by the growing liberal opposition, which disliked both the empire and the Vatican. If the spirit of these times be understood, we need not go into the political details by which that spirit expressed itself. M. Debidour is speaking of the years 1864 and '65, and he says 'Outside the Chamber, the republican party increased rapidly, and seemed indisposed to hesitate for ever before revolutionary methods. This party was united in an equal hatred of Caesarism and obscurantism, of the policy of December 2 and the policy of the *Syllabus*, of the empire and the church. If it could not yet speak out its thought about the empire, it was less

[1] Debidour, p. 562.

reticent about the church. Since the *coup d'État*, and in face of a government whose despotism had always had the clergy as its strongest ally, there grew up in France a republican youth, very different from that which had grown up under Louis Philippe, and which believed for a moment, in 1848, that an alliance was possible between religion and liberty. This new generation, less romantic than the old but more learned, less sentimental but more swayed by reason, did not rely on the Gospel or on faith but on history, on science, on jurisprudence. It put humanity in the place of God. Its religion was the Positive philosophy. It no longer read Lamennais. Its inspirations came, directly or indirectly, from Comte, Littré, Renan. Taine, who had not yet caricatured the Revolution, enchanted it by his methodical certitude and his placid contempt for theology. The challenge to reason and science by the authors of the *Syllabus* had strengthened its incredulity.'[1]

These were the forces with which the empire had to deal in France; and the papacy, in the whole world of European thought and influence. The empire might have resisted longer, if it had not been the 'prisoner' of the church. It could not afford to meet the liberals half-way, and it was never able to satisfy the ultramontanes. The papacy went on steadily towards the Vatican Council, for which it had been preparing since the definition of 1854. As the Papal States shrank, the papal claims increased. The marvellous resurrection of Italy became an accomplished fact. The policy of Cavour, the knight-errantry of Garibaldi, the heroism of a splendid race, achieved the deliverance in spite of terrific odds. Austria was expelled from the north. The Lorrainers disappeared from Tuscany. The central provinces escaped from the papacy. Naples became Italian. Only Rome and a small territory were left to the Temporal Power. In this, the Pope was protected from his subjects and the rest of Italy by French soldiers, while he flouted their emperor; and within this fortress, he grew ever more threatening and violent. In 1867, he kept the centenary

[1] Debidour, p. 595.

of the apostle Peter, which was attended by 450 bishops. While they applauded the *Syllabus*, the Pope foreshadowed the approaching council, which was to ratify the policy of the *Syllabus*, and above all the papal infallibility. These events were re-echoed in France. Thiers used all his eloquence to prove that the overthrow of the Temporal Power would be the greatest of misfortunes for France. The *Univers*, which had been suppressed, re-appeared at this time, and embittered the clerical campaign. The Emperor, once the favourite of bishops, was now described as Pilate. Duruy, the Minister of Education, was specially attacked; because he wished to multiply schools, to educate the wielders of universal suffrage, and, what was much worse, to supply a lay education for women, and to submit the teachers of the *Congrégation* to the ordinary laws and regulations. These reforms were described as attacks on religion, as trampling on the moral order, spreading atheism among the people. On the other hand, Garibaldi was thundering against the papacy. 'Hold yourselves ready to be purged of the *vomito negro*. Death to the Blacks. We must go to Rome and dislodge this brood of vipers. A thorough cleansing is required.... It is our duty to go to Rome, and we shall go soon.' Young Italy and ultramontane France were thus on different sides. The Papal States estranged and almost embroiled the two Latin sisters. They were not re-united until France had become thoroughly liberal, and their reconciliation led directly to a breach with the Vatican, and so to Separation.

At Rome, everything moved towards the papal absolutism. The *Curia* was infatuated by the *Syllabus*. It was bent on legalizing that claim to personal infallibility for which the Popes had manœuvred so long in vain. It had been almost realized, as we have seen, by Boniface the Eighth, but his policy fell to ruin under the blows of Philip the Fair. The Council of Constance had condemned the claim in theory and stultified it in practice. The Council of Trent had not dared to sanction it. Gallicanism was a standing protest against it; and the Gallican church had been the efficient bulwark of catholicism against Vaticanism, so long as the

old *régime* endured. The papal monarchy had been tempered in some degree by the episcopate. Though the jurisdiction of the bishops had been attacked and narrowed continually, it still retained some vestige of life and power. But it was now determined, by Pius and his advisers, that the papacy should be henceforth absolute, unfettered. As the mediaeval Popes had mediatized the sovereignty of the kings, so the modern papacy has mediatized the bishops. It has been explained how the council was led up to, by the decree of the Immaculate conception in 1854, by the *Syllabus* ten years later, by the persistent effort of the Jesuits. The centenary of 1867 was followed by a Bull, which summoned the council at the end of 1869. The terms of this and of other preparatory documents were vague. The council was to meet for confirming the faith, and strengthening the discipline of the church; to redress the errors of civil society; to protect the people against impious books and a pernicious Press; to preserve unfortunate youth, whose education has been taken from the clergy, against their pedagogues of wickedness and error; to secure the progress and *certainty* of human knowledge.

There were some curious innovations both in the preliminaries of the council, and in its procedure. As to the first, it was not left free to arrange its own business, but the *agenda* were entrusted to several commissions, appointed by the Pope, composed of his partizans, and deliberating in secret. As to the second, no representatives of the civil power were invited to attend. This was an ominous novelty. In primitive ages, the emperors had summoned general councils and frequently presided over them in person. In mediaeval councils, the sovereigns were represented by their ambassadors, who were not witnesses of a ceremony, but deliberating members of an assembly. The various governments were strangely and foolishly apathetic. They took no concerted action. A few surviving Gallicans urged Napoleon to protest against the exclusion of the ambassadors, and the decree of infallibility; but the Emperor, more than ever the 'prisoner' of his clericals, dared not move. He felt his power crumbling. He was about to appeal once more

to universal suffrage, he could not afford to lose ecclesiastical support, and much less to have it cast against him. Gallicanism had almost perished. The Revolution overturned it. The Concordat had weakened it. The decree of 1870 killed it. The concordatory bishops and *curés* were alike ultramontane, for reasons which, paradoxical as it may sound, were both similar and contradictory. When the clergy ceased to be an Order, the bishops leaned more and more on the Pope, as their ally against the civil authorities. At the same time, they acquired a fuller power over their clergy, and relied on ultramontanism to maintain it. Under the old *régime*, the lower clergy were quite independent of the Pope, and almost independent of their bishops. The majority, though ill-paid, had security of tenure. They were national and democratic. Under the Concordat, only a tenth of the parochial clergy had a relative independence. The remaining nine-tenths were dependent on the bishops. The State had deprived itself of all power to help them. Their only protector was the Pope. Rome utilized this position to check the bishops, and it relied on the episcopal discipline to secure the unity of the priesthood. It played one order against the other with ability; making the bishops rely on the *Curia* to maintain their predominance, and mollifying the servitude of the priests to secure their loyalty. The Gallicans were reduced to a few bishops, most of them imperialists; and to a few laymen, Falloux, Arnaud, Montalembert, all of them sad and disillusioned. Montalembert wrote to Döllinger in November 1869, 'You admire the bishop of Orleans (Dupanloup); but you would admire him more if you could realize for yourself the abyss of idolatry in which the French clergy are wallowing. It surpasses everything that could have been imagined in the days of my youth, in the time of Frayssinous and de Lamennais. . . . Of all the enigmas, which are so numerous in the history of the church, I don't know one which equals or surpasses our sudden and complete transformation into the poultry yard of the papal ante-chambers.'

Such was the wretched end of Montalembert, a man of the loftiest nature, and worthy of a better fate. His heart

was sounder than his head, but he dared not trust it. Surely the end of Lamennais was happier. At any rate he liberated his soul and loosed his tongue before he died. Few men had done more than Lamennais to spread ultramontane theories; and no one had carried them into practice with more influence than Montalembert. The French church was reaping what he had sown; and we must not forget how largely the French nation is indebted to him for Napoleon's presidency, and for the second empire. It is strange that so able a man could be so utterly blind to the inevitable consequence of his own premisses. Montalembert died four months after writing the letter which I have quoted; on March 13, 1870. He lived long enough to realize the sinister proceedings of the council, but he was spared the decree. The Pope forbade a ceremonial mass in the *Ara Coeli* which his brother-in-law De Mérode, the Grand Almoner of Pius, had arranged. He allowed a plain mass, over the Tiber, in *Santa Maria Transpontina*, and he attended it in private, behind a screen, forbidding any public notification as to whom the requiem was for. And thus Montalembert was rewarded for his chivalrous devotion to the church, for the shipwreck of those liberal and generous instincts which were the best part of him: pity that they were only *dimidium animae.* If I may accommodate a line of Arnold: *He never once possessed his soul before he died.*

The council had opened on December 8, 1869, in Saint Peter's. There were about 750 bishops, a large number of vicars apostolic, dependants of the papacy, and of religious superiors, who are its professed servants. Some 150 bishops formed the Opposition. Soon after the opening, on January 3, Manning promoted an address to the Pope, praying him to allow his infallibility to be declared. Pius held his infallibility as of divine right, and made a point of not submitting it to the council, so it was arranged the council should beg him to proclaim the doctrine. The *Schema de Ecclesiâ* enunciated the claims of the church and the papacy even more arrogantly than the *Syllabus.* Feeble as the Opposition were in numbers, and fatuous in tactics, their reasonings were formidable, and the delay was annoying to the Pope.

It was decreed, therefore, by the Pope, that closure should be granted on the demand of only ten members, which was the strangest way of proving the council was free to discuss; and, secondly, that decisions might be made by a majority of votes, whereas in all previous councils unanimity had been required for an authoritative definition. Finally, after many delays, and some alterations, infallibility was voted on July 18, 1870, by 533 bishops against two. The decree ran in the name of the Pope: We teach and define, with the *approbation* of the council, adhering faithfully to the tradition received from the beginning, that it is a dogma revealed by God that the Roman Pontiff, when he speaks *ex cathedrâ*, that is when, fulfilling the office of pastor and doctor of all christians, in virtue of his supreme apostolic authority, he defines a doctrine concerning faith and morals, must be believed by the whole church: he enjoys fully, by the divine assistance which has been pledged to him in the person of blessed Peter, that infallibility with which the divine Redeemer has willed that his church shall be provided in defining doctrines touching faith and morals; and, in consequence, these definitions of the Roman Pontiff, by themselves and not in virtue of the consent of the church, are irreformable. 'If any one, which God avert, should have the temerity to gainsay our definition, let him be damned.' This definition was made in Saint Peter's, on July 18, during a violent storm of thunder. As the heaven roared and the lightning flamed, the ultramontanes talked of Sinai and a second Pentecost. Other people took the noises for a proof of divine wrath, speaking of the Apocalypse and Babylon the Great. During the last days of the council, war was declared between France and Prussia; and the bishops were despatched away in haste. The council was prorogued; but, I believe, has never been dissolved. It still sits, in theory; but there is no reason why it should ever re-assemble, or why any other council should be held. Councils were a cumbrous machinery, difficult to assemble, more difficult to handle. If papal infallibility were known to the ancients, to tradition, it is strange they never resorted to

so easy and decisive a way of ending controversies and discovering the truth. It is undeniable that the bishops at Constance declared councils were superior to Popes. They acted on their belief by deposing one Pope, and making another; and the Pope so made confirmed their opinion, on which alone his title rests. And there are many other flaws in the papal argument; but the church triumphs over history.

Before many weeks had passed, Napoleon was dethroned, and a prisoner. The republic had been proclaimed throughout France, and a government of national defence organized in Paris. The Emperor had appealed in vain to Italy for help. His regiments were withdrawn from Rome, and the Italians took possession of their capital on September 20. By an almost unanimous vote, the Romans expressed their wish to be incorporated into the kingdom of Italy. The Pope lost his Temporal Power, and retired into the Vatican, the prisoner of his own policy. The Pope-King came to an end, but only to be transformed into the Pope-God; and so we enter upon the last phase of our history.

CHAPTER X

THE THIRD REPUBLIC

1. National Defence.

When the news of Sedan came to Paris, the Empress made an effort, through Mérimée, to gain the services of Thiers. That most astute and common-sense of politicians would neither ally himself to a ruined cause, nor commit himself to a dubious adventure. He refused the Empress; and he would not join the government of national defence, though he gave it a benevolent support. It consisted of eleven members. Some of them had made their reputations; Arago, Crémieux, Jules Favre: others had theirs to make, and were in due time to be famous; Jules Ferry, Gambetta: one, Jules Simon, was to stultify his principles; another, Henri Rochefort, had become notorious in the empire, and was to be more conspicuous for many years under the republic. It seemed as though the church could not live at ease with men of this kind. On the other hand, Rome was more intractable than ever. The hurried separation of the council, the retirement of the French garrison, and the fall of the empire, warned the *Curia* of its doom. The misfortunes of the papacy rallied its adherents. Never were the ultramontanes so zealous or so bitter, especially in France. There was no enthusiastic alliance between the clergy and the new government, as there had been when the second republic was inaugurated. There were no common interests, as in the understanding between the church and the second empire. But patriotism, and defeat, and the odious presence of the invader, drew all Frenchmen together. They sank party differences, and worked in common. The liberal government of defence accepted the conservative and clerical Trochu as their head, and on his own terms, namely

that religion, property, and the rights of the family, should be respected.

The church benefited, again, by the liberties which the new government allowed. It required no political oath, and granted freedom of meeting and of the Press. As the Prussians were isolating Paris, the government had to be established elsewhere. Crémieux, a Jew, the Minister of Worship, went to Tours, and lived with Guibert, the arch-bishop. It was arranged shortly afterwards, between the Minister and the Nuncio, Chigi, that the nomination of bishops should be entrusted to Guibert, and his nominations were naturally acceptable to Rome. Thus one of the rights given by the Concordat was resigned by an easy-going Minister; and there grew up a custom that the formal nomination by government should be given to the ecclesiastic already chosen to receive it by the Holy See.

A large number of the bishops gave a loyal support to the government of defence. They organized hospitals and ambulances, and appointed seminarists and religious to serve them. Others, however, began to intrigue with the various parties and pretenders. Dupanloup was an Orleanist, Bonnechose of Rouen was faithful to Napoleon. Most of them, unfortunately, were as much occupied with Rome as with France. The Temporal Power was again a cause of estrangement between France and Italy, a cause of serious division and weakness in French domestic politics, and a continual source of anxiety or even a possibility of danger in foreign affairs. On the 20th of September, 1870, the Italians entered Rome, and occupied the whole of their capital, except the Vatican, where the Pope was free and sovereign. He used his freedom to make himself a voluntary prisoner. The question of his going or staying was debated anxiously. France offered him an asylum in Corsica; and England, in Malta. Bismarck was eager to have him in Prussia. The Pope felt that to sever the papacy from Rome was to risk the loss of its traditions and its moral influence. He decided not to go unless he were forced; and, as the Italian government were most anxious to keep him in Rome, there was no likelihood of his being forced. The papacy

stayed on, then, protesting; and it has continued to do both for nearly forty years, and under three pontificates. On the 2nd of October there was a *plébiscite*; and the City of Rome decided, by 40,875 votes against 46, that it wished to be incorporated with the kingdom of Italy. The new French government did not feel either able or called upon to protest. They recognized the accomplished fact; recalled their ambassador from the Court of Rome, and appointed a *chargé d'affaires* to represent them with the Pope in his spiritual capacity. And, what is more important, they decided that the time was inopportune for reconsidering the Concordat, which under normal circumstances they would probably have denounced. This correct and chivalrous attitude probably saved a great deal of immediate friction between church and State; but it held a great deal more in solution, and bequeathed a dangerous legacy to the coming republic.

The government of national defence did better than is generally supposed; and the People's war, as distinguished from the Emperor's war, that is the stand made in France against the Prussians, has only recently been presented as it deserves to English readers.[1] We are aware now of the enormous difficulties, both military and diplomatic, which hampered, and almost vanquished, the Prussians before Paris. The exhaustion of Germany was so great, both in men and finance, that a well-organized and well-supported resistance might have ended the war in a very different way. France, however, was not, and could not be, well organized; and she was not inclined to continue the war with energy. Certainly, she did not fail in courage; every battle-field and engagement proved it. The French fighting was magnificent. What did fail was direction, and therefore confidence. Twenty years of autocratic government had demoralized the country; and when the autocracy crumbled to pieces, in gigantic failure, there was no immediate power of rallying. France, then, desired peace; and this was proved by the elections in February 1871. The reactionaries occupied a place in the new Assembly which was not

[1] Lonsdale Hale, *The People's War in France.*

deserved by 'their numerical importance or their real influence with the nation'.[1] The peace which France wanted was personified in Thiers. Gambetta represented a continuation of the war, and the republic was identified with Gambetta. The parties hostile to the republic obtained a signal victory.

'In the majority of Departments the candidates of the reactionary coalition, who were patronized by the clergy, came in easily.' Only 200 republicans were elected on the 8th of February, and 50 more deputies rallied to them later. The whole number of deputies was 768, which was reduced to 738 when the territory was rearranged. About a third of the Assembly was republican. There were few Bonapartists. The vast majority were royalists. They, however, were divided, or they would have carried everything before them. There were Orleanists, the supporters of Louis Philippe's heirs, who desired a liberal monarchy. There were legitimists, who adhered to the grandson of Charles the Tenth: but these, again, were subdivided, into thorough legitimists, who accepted the king on his own terms, as of divine right; a sovereign who should impose his will on the country, granting such liberties as he chose, out of his mere favour, a king who should rule as well as reign. There was also a group of modified legitimists, who would make terms with the king before allowing him to rule. These differed little in theory from the Orleanists; but the family quarrel, between the two Bourbon pretenders, and the consequent factions among their partizans, were very serious. There was, in addition, a modified Orleanism, which would have accepted a son of Louis Philippe as a stadt-holder or semi-royalist president. These parties were so divided that none of them could bring in any candidate, or agree upon any constitution. They could, and they did, unite in general politics. They were reactionary by instinct, and ultramontane by profession. 'This Assembly was the most reactionary, and above all the most clerical, which had been in France'[2] since the Restoration.

[1] Debidour, *L'Église Catholique et l'État* 1870–89, p. 25.

[2] Ibid, p. 28.

2. Thiers and the Commune.

In one matter, its action was marked out clearly by the electors. Thiers had been returned by 27 Departments. He had obtained 2,000,000 votes. It was clear that the nation wished him to be head of the State; and the Assembly confirmed the wishes of the people. Thiers was neither a clerical nor a royalist. He saw that all the pretenders and their causes were impossible. He wanted a republic, which, as he said, would divide Frenchmen least. His faith and his prophecy have both been justified. He did not, however, press the republic, or declare his own preferences. Every party thought it might gain him, or at least use him, and then throw him away. The royalists were not sorry that the making of peace, and the payment of the bill, should be put on other shoulders. They hoped both of these unpleasant matters would ruin Thiers, and discredit the republican party for ever. Then their king was to come in as the deliverer, untainted by concessions to the foreigner, not compromised by taxation and ceded provinces. Thiers, moreover, had served both clerical and papal interests. He had voted the *Loi Falloux*, for which indeed he was largely responsible. He had always opposed united Italy, and the destruction of the Temporal Power. He had, therefore, supported the clerical policies of 1849 and 1850; the expedition to Rome, and the presidency of Louis Napoleon. He was, for all these reasons, not unacceptable to the clericals and royalists.

Thiers was, at any rate, a giant among dwarfs, or a lynx among moles and bats. He saw one thing very clearly, which the majority could not or would not see: namely that the existing majority was due to exceptional and ephemeral causes; that it did not represent the sane and permanent wishes of the country; that time was on the side, probably of the republic, and certainly of liberalism. Thiers was also a great patriot; and he does not forfeit that character because he combined his own interests with those of the country, and served them with incomparable skill. His immediate policy was to unite Frenchmen, to reorganize

the country, and to clear it as soon as possible of the hated Prussians. In a very noble speech, on the 10th of March, he prescribed these duties; and promised, farther, that no party should be deceived or out-witted by him; that constitutional changes should neither be made nor prepared in secret; that he was working for the country, not for party. To this *pacte de Bordeaux*, he remained loyal.

Garibaldi, as soon as the empire fell, volunteered his services to France, and fought strenuously for her in the second war. As a recognition, he was elected by several Departments; but only presented himself to the Assembly to return thanks for the honour, and to resign it. By the clericals and ultramontanes he was howled down, and refused a hearing. 'Sa voix fût couverte par les clameurs brutales des droites coalisées. Cette séance du 13 Février, de triste mémoire, eut naturellement en Italie le plus fâcheux retentissement.'[1] A few weeks later, Victor Hugo was treated in the same way for acknowledging Garibaldi's services to France.

The new government left Bordeaux, and settled at Versailles. There were many causes of discontent in Paris, and this slight aggravated them. The reactionary Right was irritated by and afraid of the capital, that nursery of revolutions. Paris had grievances, which were both definite and theoretical, against the government. Certainly, the government was maladroit, and unconciliatory. This temper on both sides led to the revolt of Paris, and to the *Commune*. The whole affair was mis-managed deplorably. The government looked upon the communists as rebels. It shot prisoners, would make no concessions, would not even consider terms. To protect its soldiers, the *Commune* threatened in turn to shoot prisoners, including the arch-bishop of Paris, whom it held as hostage. The government would not make an exchange of prisoners, or even discuss terms of release. The arch-bishop's imprisonment lasted from April 4 to May 23; and he was shot, not by the *Commune*, which was dissolved, but during the anarchy which followed the entrance of the troops into Paris.

[1] Debidour, p. 31.

Even the military operations were bungling and slow. MacMahon's forces entered Paris on May 21. They could have occupied the whole city in a few hours, without serious resistance, if they had been led capably. Instead, they took eight days. During these inexplicable delays, the hostages were shot, barricades were erected, a fierce resistance was organized, and some of the finest buildings in Paris were given to the flames. It is impossible not to blame the government for refusing to treat, for dealing unjustifiably with prisoners and combatants, for the grossest injustice to non-combatants, and for a criminal want of decision and promptness when they had entered Paris. Their treatment of the conquered was even more criminal. The army entered Paris on May 21; and there followed wholesale executions of unarmed prisoners, and of non-combatants who were in many cases innocent. The burning of Paris did not begin till the evening of the 23rd; and the hostages were not killed before that night or early the next morning. The victims executed by the *Commune*, or rather by the anarchy which succeeded it, amounted to 76; 52 laymen, and 24 ecclesiastics. The numbers killed by the government amounted to above 20,000. They were shot down in masses, or tried summarily without much pretence at justice. After the capture of Paris, there were 350,000 accusations, and 46,000 trials. The condemned amounted to 10,137.[1] It is probable that not less than 40,000 persons were either killed or transported; and of all the episodes, in the whole revolutionary annals of France, the suppression of the *Commune* is at once the most bloody and the most reprehensible. 'So violent a ferocity of repression cannot be explained solely by the excitement of battle and the fury of political passions. Religious passions contributed a large part of it. Among the conquerors, many regarded the executions of the conquered as a necessary expiation and a pleasing sacrifice to God.[2]

During its short existence, the *Commune* separated church and State. It said 'Liberty is the first principle of the

[1] Hanotaux, *La France Contemporaine*, i. pp. 212-13.
[2] Debidour, p. 49.

French republic. Liberty of conscience is the first of liberties. The *budget des cultes* is contrary to this principle, since it taxes citizens against their belief. The clergy are guilty of crimes against liberty. Therefore the church is separated from the State. The *budget des cultes* is suppressed. The possessions of the *Congrégation* are national property.' Under the *Commune*, 12 out of the 60 churches in Paris were shut. Otherwise, churches and schools went on much as usual; and leading members of the *Commune* escorted their children to both.

The elements of the situation in France, after the suppression of the *Commune*, which we must bear in mind, were, first, the possession of power by a reactionary Assembly, which did not represent the permanent mind of the country, and still less its political and social aspirations. Secondly, the majority of this Assembly was legitimist; but the action of the legitimists was paralysed by the disunion of the royalists, and still more by the character of the Comte de Chambord. The Bonapartists were, for some time to come, of no account. But, thirdly, all the reactionary factions had a common bond, not of unity, but of political aggressiveness, in their adhesion to the church. The clergy worked for them, and they for the clergy. Further, the church question was intensified and complicated by the Roman question; that is, by united Italy, and the suppression of the Temporal Power. This had very serious effects on external and internal politics. In foreign affairs, it estranged France and Italy, and brought them several times to the brink of war. In consequence, it drew Italy and Prussia together, in a common league against France, and it led eventually to the Triple Alliance. More than this, it added, if that were possible, to the acrimony and aggressiveness of the French ultramontanes, not only at home, but in all matters relating to the papacy.

Among such matters, was the struggle between church and State in Germany. So outrageous and unwarrantable were the comments of French bishops on Prussian affairs, so dangerous and threatening were their manifestos, that France and Prussia were brought within sight of war. In France

itself, the reactionary Assembly and the situation of the Pope increased the bitterness and zeal of the clerical campaign. We have to explain how the republic was founded, in spite of a royalist and reactionary majority; and why the republicans, who began by having no hostility against the clergy, were forced into the position expressed by Gambetta when he declared 'Le Cléricalisme, voilà l'ennemi'. For, indeed, between 1871 and 1875, clericalism proved itself the enemy of all internal progress, and a source of the gravest difficulty and danger in foreign affairs. Keeping these main positions in view, I propose to illustrate them in detail; and, by so doing, I hope to explain the relations between church and State during the opening years of the third republic.

'On the morrow of the bloody week, the Assembly of Versailles did not limit itself to praying and thanking God for its triumph; it exulted proudly, and was inflated with exuberant hopes. But neither pity nor clemency touched its heart. It profited by its victory to prolong the reprisals of its civil war. It was not enough for it to have conquered, to have carried Paris by assault and drowned the insurrection in seas of blood.'[1] Even its piety was belligerent and provocative. Devotion to the Pope-King was 'shown by the most varied religious demonstrations; by prayers, exciting sermons, *novenas*, solemn invocations to God, the virgin, and the saints; by theatrical processions which began to deploy through our towns, re-echoing the devout chorus

Sauvez ROME et la France
Au nom du Sacré Cœur.

A thaumaturgy, daily becoming more coarse, riotous and provocative, took hold of religion. Worships relatively new developed with a strange and unexpected rapidity for the benefit of the august prisoner in the Vatican. Catholicism was transforming itself into an anthropomorphic polytheism, hardly respectable, which appealed to the least noble passions and the lowest instincts of human nature. The saints and the virgin supplanted God, to whom the faithful hardly

[1] Debidour, p. 82.

paid any further attention. They were asked, without shame, for health, wealth, success in examinations, and in all kinds of business; they were paid fatly, and generally in advance for their services.'[1]

The medal of Saint Benedict had an extraordinary vogue. Saint Joseph, neglected for so many ages, began to be cultivated in the sixteenth century. His devotion was propagated by the Jesuits, and he took a place beside the virgin mother and her son. The divine Trinity was reflected in the semi-divine persons of Jesus, Mary and Joseph. Their sacred hearts were invoked by the devout. Saint Joseph was a safe guide in practical affairs, a special guardian of virginity, and an effectual protector in the hour of death. By Pius the Ninth, he was declared Patron of the Universal Church. His assumption has begun to be thought probable, and his immaculate conception is not beyond the range of practical theology. It has even been suggested that these growing honours of Saint Joseph may be a divine preparation of escape if the Roman church should be forced by criticism nearer to the unitarian position. The old shrines, and many recent ones, became scenes of miracles and centres of pilgrimages. Saints without histories, like Philumena, had an extraordinary and ephemeral popularity. She owed her existence only to the misplaced fragments of an inscription in the Roman catacombs. The Pope himself became an object of devotion, and even his relics were sought after. He was represented in devotional pictures, fettered, behind prison bars, surrounded by the instruments of Christ's passion. Straws from his dungeon bed were distributed to the faithful, and fragments of his old garments were received with reverent devotion. Miracles were attributed, not only to Pius himself, but to his portraits, and to his relics. Material advantages were not forgotten in all this pious enthusiasm; and the representations of Pius were generally accompanied by a reminder of Peter's Pence, which flowed into the Vatican in an ever-swelling flood during the years which followed the council and the suppression of the Temporal Power.

[1] Debidour, p. 62.

The real situation of the Pope was very different from that which was presented to the ill-informed and illiterate populations of certain countries. The Italian Parliament voted the Law of Guarantees in May 1871. It settles on the Pope a yearly income of 3,225,000 *lire* (£130,000) which was the amount of the last papal budget. The Pope's person is inviolable, and sovereign honours are paid to him. The Vatican and its precincts, that is the palace, the galleries, the basilica, and the gardens, are made *exterritorial*: within them, the Pope is king. Perfect freedom is guaranteed to conclaves. The Pope is free to publish all his acts, to use the Italian posts and telegraphs; to receive ambassadors from all the Powers. The ecclesiastical authority is independent of the State in all matters of church discipline and government. Such is the real position of the prisoner of the Vatican. Never have the Pontiffs been so absolutely free to exercise their spiritual functions, un-impeded by material considerations or political difficulties. Never was any pretender so considerately treated, or established so splendidly in his former capital. And yet the Pope protested more vehemently, abusively, and continuously than any other claimant. His complaints were re-echoed by the French episcopate. They agitated the French ultramontanes, and they in turn brought pressure to bear on the government, with a view to intervention. Pius proclaimed openly that he wished the catholic Powers to coerce Italy, though he would not submit his temporal claims to an international congress. There were frequent pilgrimages to the Vatican, especially from France; and the speeches of the Pontiff were not calculated to soothe excited and irritated feelings. The Vatican must bear the responsibility of having used and not discouraged language which if it had its natural effect would have resulted in war. The *Curia* and its partizans thought it advisable 'to aid Providence a little, and not rely on it exclusively'.[1] Pius distributed to some of his visitors a red flannel cross, praised the crusades of Pius the Fifth, and described the enemies of the church as 'the wicked Turks of our days'.[1] By

[1] Debidour, p. 66.

enemies of the church, he meant all liberals, not forgetting the liberal catholics, for whom he and the most ultramontane of the bishops cherished a special hatred. It must be remembered, as we look back on these political conflicts, that a papal restoration would have meant the *régime* of the *Syllabus*, and its application wherever clerical influence was in power.

With a view to obtaining this power, clubs and associations were formed among the working men. That *catholicisme social* which was utilized so extensively by Leo the Thirteenth began to take form, though Pius the Ninth had little sympathy with it. Its ecclesiastical leader in France was de Ségur, but its champion was a layman, Count Albert de Mun. Bismarck described universal suffrage as a power which rulers must learn to utilize. It was not a new lesson for the church, though it had been forgotten since the thirteenth century. The church practised it in two ways; by organizing and leavening the masses; and by controlling, so far as possible, their education: that is to say, by educating them very little, and controlling them a great deal. Bishop de Ségur said 'there is only one sort of French republic, and that a bad one. . . . The revolutionaries and republicans (they are the same practically) are the enemies of religion. . . . They are the enemies of our best national glories; enemies of science, literature, and art. They are for the most part *bêtes*. They are compacted with vice.'[1]

M. de Mun has never dissembled or minimized his opinions. Speaking of the *Syllabus*, he said, 'Yes, praise or blame, we accept it. . . . It is the *Syllabus* which we mean to take as the foundation of our work. . . . We wish to proclaim still that the voice of the church is the voice of God himself. . . . The *Syllabus* has become our manifesto, because Pius the Ninth has signed it. . . . The *Syllabus* will be our standard, because it has only to be hoisted for our enemies to recoil.' Asked what would happen if the *Syllabus* and the law were contradictory, de Mun replied without hesitation that the law must give way. 'Catholicism, being the

[1] Debidour, p. 78.

very essence of the truth, is also the very ideal of the good (*le bien par excellence*), since it has been established by God himself to be the link between man and his creator. It follows, therefore, that a catholic work or action cannot be illegitimate in law, whatever may be the practical conditions in which society is placed.' And then he went on to say 'Between the Revolution and the church, there is an incompatibility. It must be, either that the church kills the Revolution, or that the Revolution will destroy the church. We recognize the incompatibility, but we do not fear the dilemma. The victor in this deadly battle is predordained. The church will demolish the Revolution, because the church cannot ever fail.'[1]

It has been worth while to record these various expressions, because they enable us to realize the spirit of the time, and the problems with which statesmen had to deal. We are often told that the republic has persecuted a blameless church. It must be pointed out, however, that the speakers whom I have quoted were opposing themselves violently to the majority of their countrymen. They were not content to assert their own opinions, but they branded their opponents with perpetual and scurrilous abuse. They wished, not only for liberty to teach their opinions, but that all other teaching should be suppressed. When they profess liberty, they mean liberty for themselves alone. As Louis Veuillot said, quite frankly, 'He demanded liberty from the republicans in the name of their principles, but would refuse it to them resolutely in the name of his own.'[1] It may be added that de Mun was an officer in active service, while he was thus denouncing and defying the first principles of those whose uniform he wore. The tolerance of the government certainly cannot be challenged, though its wisdom and courage are liable to question.

In the midst of all this ecclesiastical agitation, the government of Thiers did wonders. The recovery of the country was marvellous. It grew richer in spite of its losses, and it maintained its population in spite of the annexed provinces. As royalism proved itself more and

[1] Debidour, pp. 136, 142.

more impossible, Thiers strengthened his own position, and brought the republic nearer. He was assisted materially by the Comte de Chambord, whose manifesto on July 5, 1871, was followed by a law, at the end of August, 'That the chief of the executive should be styled President of the Republic, and continue to exercise his powers under the authority of the Assembly, so long as it have not terminated its labours.' Ministers were to be appointed and dismissed by the president, though responsible to the Assembly, as he was himself; and he had the right of speaking in the Assembly whenever he judged it advisable. This law was carried soon after some partial elections, when out of a hundred vacant seats, more than eighty were captured by the republicans. After its first panic, the country was settling down. It had repented its reactionary verdict; and every election henceforth shows a steady advance in liberalism. The breach between the country and the Assembly widened continually, and the folly or the blindness of the majority added no less continually to the friction between the people and their nominal representatives.

The government of Thiers cannot be accused of anti-clericalism. The Concordat was violated with impunity by the church. It has been explained how the nomination of bishops fell, practically, to the Nuncio; and the advantage then gained was expressed gradually in the Bulls, which were so worded as to imply that the government did not nominate, but merely presented for nomination. The Holy See continued to protest against the *Organiques*, though it was careful to insist on them when they were to its advantage. Another effort of the government to improve the position of the *desservants* was resisted by the bishops; who, on the other hand, applied the Concordat very loosely to themselves. In finance, the republic was generous to the church. The *budget des cultes*, which had been 49,683,981 *francs* in 1871, rose to nearly 55,000,000 in the following year. Confraternities and associations were organized freely. Charity of all kinds was in the hands of the church; and in every *commune* the *curé* was a member of the council which regulated these matters.

The only difference between the government and the church, under Thiers, was about education. In countries which have universal suffrage, the voters must not be illiterate. In countries which are liberal, education must be compulsory, secular, and free. This programme was advocated warmly by Gambetta, in 1871, and was opposed no less warmly by Dupanloup. The educational propaganda was assisted marvellously by Jean Macé, who had founded the *Ligue de l'Enseignement* in 1866, and the work was taken up again with renewed enthusiasm after the war. The arguments of this clear thinker are worth considering in our own country of confusion and timidity. 'Can you tell me what connexion there is between the alphabet and the existence of God? Can one not teach a scholar to make loops and lines without touching on papal infallibility? What has the question of priestly celibacy to do with the rules of participles? Why should the Jewish messiah be mixed up with theories of the greatest common denominator? No, the school will not be atheistical; because reading and writing have nothing to do with atheism, and never will have. Grammar is not atheistical. Because you ask a man to teach you arithmetic, and he teaches it without speaking of religion, it would be as unreasonable to cry down his school as atheistical as it would be, on leaving a shoemaker who had measured you for boots without speaking of religion, to get a mob round his door and shout Here is an atheistical shop.'[1] Jean Macé's League started a petition for popular education, which soon obtained 917,000 signatures, in spite of clerical opposition. Gambetta took up the cause, and became, as he said *le commis-voyageur de la démocratie*. But the church opposed the whole movement. 'The catholic papers foretold the most dismal catastrophes, preachers bewailed the abomination of desolation, if France should learn to read.' The Assembly was hostile, and Jules Simon gave way in the matter of primary education. At the same time, he was forced by the Assembly to modify the *Conseil Supérieur de l'Instruction* in a way favourable to the church and most damaging to the University.

[1] Debidour, p. 92.

Meanwhile, Thiers had been accomplishing his great work of paying the indemnity and liberating the Departments from Prussian occupation. The indemnity amounted to *cinq milliards* (£200,000,000). The last *milliard* was not due until March 1875; but Thiers arranged to pay it by September 1873, and the territory was liberated as payments came in. On March 17, 1873, Thiers was able to announce the accomplishment of his task. A member moved that 'the President of the Republic deserves well of the country'. A counter-proposal was made, praising the Assembly. The two motions were joined, and passed unanimously. The hesitation showed the insecurity of Thiers. He had long been unacceptable to the royalist and reactionary majority. Though he had kept his pledges, he had moved inevitably, as the country had, nearer to the republic. He had also drawn nearer to the republicans, which was worse; and he had enabled republicanism to solidify, which was worst of all. When his great work was achieved, his tenure of office was not long; and the monarchical majority threw him out on the 24th of May, 1873.

Adolphe Thiers is, perhaps, the most remarkable French statesman since the Napoleonic era. His versatility and industry were amazing. The Histories of the Revolution, the Consulate, and the Empire would have served most men as the occupation of a life-time. They still remain a splendid work of literature, though as history they have declined in value; and Thiers is one of the great writers of France. Among a nation of orators, he is also in the first rank. His speeches are full of power. They compel assent by their reasoning; but they are also models of lucidity, of skilful pleading, and of common-sense. They abound in happy phrases and shrewd hits. In all he wrote, and spoke, and did, there is a pervading distinction. He began his public career as a liberal journalist, opposing the monarchy of Charles the Tenth, and contributing substantially to overthrow it. He soon came to the front, under Louis Philippe; but though he was Prime Minister, that part of his career is perhaps the least successful. His writings did much to popularize Napoleon, and to circulate that Napoleonic legend

which resulted in the second empire, and which revived so ominously under the third republic. We have seen how he was connected with the Falloux Law, the expedition to Rome, and the establishment of Louis Napoleon in the presidency. In all these matters, he did a poor service to that liberalism of which he was on the whole a genuine and meritorious disciple; but he served liberalism well in the evil days of the second empire.

As to the Temporal Power, he was neither clerical nor ultramontane; but he did not wish to see a strong and united Italy over against the French border. His foresight and penetration were remarkable. He told Napoleon the Third that united Italy must lead to a united Germany; that a new Germanic empire would be as dangerous to France as the empire of Charles the Fifth, only it would rest on Italy, not on Spain. All of this came true when the Triple Alliance was formed. Perhaps a larger and more generous view of the Italian question would have led him to see that the two liberal and Latin peoples were natural allies, as against Prussia; and that Italy was not to blame if France stultified her own liberalism by supporting the reactionary papal government. Thiers proved under the second empire that he was a skilful parliamentarian, but his great opportunity came in 1871. His conduct of the Assembly, the revival of France, and the payment of the indemnity, place him among the leading statesmen of our time.

In person, he was very small, alert, vivacious; incessantly active in mind and body. He delighted in the society of his friends, to whom he was always faithful and affectionate. In politics, he was a shrewd manager of men and parties. It was not easy to over-reach or dupe him. He excelled as a talker, in a country where conversation is still a fine art. More good sayings have been attributed to him than to any French statesman since Talleyrand. As a wit, he was inferior to that incomparable master, who no doubt was greater than Thiers in diplomacy. Thiers possessed in an eminent degree the finest qualities of the commercial and magisterial class under the old *régime*. He was frugal,

industrious, the soul of honesty in business, inclined to be Voltairian and *philosophe*, cultured therefore and enlightened, but very conservative in practice notwithstanding his liberal prepossessions. Above all, he had a splendid common-sense, united to a keen intellect and a sovereign command of words. His uncompromising logic saved him from the defects of these qualities, which so often lure their possessors into self-deceit. Thiers was never carried away by sentiment, or intoxicated by his own verbosity. Talleyrand, too, had all these qualities in a still more eminent degree. Like the great Duke of Marlborough, he 'possessed the Graces', and personified that exquisite culture which belonged to the *noblesse* of the old *régime*. He was at heart, as I believe, more liberal than Thiers, and far more humane. The problem of the *Commune* would have been solved by him, as I think, with more tact, and above all with more humanity. The handling of the *Commune*, and the bloody reprisals which followed it, are the great blot on Thiers' reputation. He showed in dealing with the Parisians a lamentable want of any 'healing power'. He was the typical *bourgeois*, dealing feverishly and ferociously with an affair which presented itself to him chiefly as an attack on property. And that was the narrowest, hardest, and lowest view which could be taken of the *Commune*.

3. MacMahon.

The successor of Thiers was a soldier, Marshal MacMahon, the victor of Magenta, the vanquished of Sedan. As a man, he was loyal and honest. As a soldier, he was not great, and in politics was of no account. He was merely the figure-head, put forward by the Orleanist and legitimist politicians who were scheming for the monarchy, for which, as they saw, time was indispensable; and who utilized that time to damage, to delay, and if possible to destroy the republic. They were in close alliance with the church, and were furthering the cause of clericalism as well as of monarchy. They proclaimed themselves the party of 'moral order'; appealing to religion and vested interests, against

the vague and therefore terrific dangers of social unrest and Jacobinical persecution. They showed their interpretation of 'morality' by practising one long intrigue against the cause they were supposed to serve. They deceived the nation which had entrusted them with power; and the friction which ensued was compromising, and even dangerous, to order. They had, apparently, little dislike of persecution, intolerance, and repression, when they were necessary for their own purposes. Republicanism had gained, and was gaining, as a political cause. The Left Centre, that is a group of men thoroughly conservative, represented by Léon Say, now recognized, with Thiers, that the republic was the only possible form of stable government. The Left, represented by Gambetta, were being educated by facts into a tactful and moderate 'opportunism': a word which was borrowed, strangely enough, from the 'inopportunists' who had tried to defer the proclamation of infallibility in the Vatican Council. Associated with Gambetta were three men destined to be famous under the Third Republic, and to do a great work for the liberal cause. Of Jules Ferry, Paul Bert, and Challemel-Lacour, we shall hear more during the educational campaign.

The majority of the Assembly, as we have seen, was so divided as to be impotent. All parties in it wanted a monarch; but they had only one throne to give, and there were three claimants, and they could not agree which of them should sit in it. The Duc de Broglie, the head of the ministry, was an Orleanist; he hoped to establish a constitutional monarchy, and would probably have accepted a conservative republic with an Orleans president. It was he who coined the phrase *ordre moral*; when he said that governments should not only assure material order, but moral. MacMahon's first message repeated the phrase 'To all the other titles which the Assembly has to our obedience, it joins this one, that it is the real way of safety (*véritable boulevard*) for a society which is threatened in France, and in Europe, by a faction which imperils the quietude of all nations; and which only hastens your dissolution because it sees in you the chief obstacle to its design. . . . By the

help of God, we will continue together the work of liberating our territory, and of re-establishing the moral order.' MacMahon was a thoroughly honest man, as he proved conspicuously while president. De Broglie was enlightened as well as honest; but both of them, through unreasoning distrust or fear, set themselves to oppose the popular will and to delay the national aspirations. Their government was disastrous to themselves, and to the causes which they represented. It was only not disastrous to the nation because the republicans were moderate as well as strong. They had the giant's strength, but used it gently. Their conduct and policy showed how unjust, how ridiculous, were the fears and suspicions of the party of moral order.

I do not propose to give an history of MacMahon's government, even in outline. Our purpose will be served if I describe the royalist plots and personages; if I exhibit the intentions and language of the clericals; and if I explain the educational measures which proved the growing strength of the liberals, until they were able to possess the two Houses and occupy the presidency. In 1873, the Ministry was royalist, and the president was willing to make way for Henry the Fifth if the nation were willing to accept him. He did not mind a certain amount of tactical policy, but he would not favour any direct intrigue, or be a party to any *coup d'État*. The clerical party was not so scrupulous. A catholic congress thanked the Pope, in an address, for his decisions, and 'specially the great and brave *Syllabus*'. They accepted it as their 'rule of life', 'conforming to it our private and *public* conduct'[1]: in other words, defying and repudiating modern France. Pie of Poitiers and Lavigerie of Algiers professed similar principles. The latter condemned 'that liberalism which, even modified and softened, is nothing else than indifference between good and evil, between vice and virtue'. He, too, hoisted the uncompromising banner of the *Syllabus* (*drapeau complet*).

Pressure was brought to bear on the whole administration, which was leavened with monarchists and clericals. 'The government, utilizing the state of siege which prevailed

[1] Debidour, p. 105.

in many Departments, suppressed, suspended, or brought into court, not only papers which were too devoted to the republic, but those which were not devout enough to the church.' Pilgrimages abounded. Paray-le-Monial and Lourdes were crowded with devotees. The Assembly itself voted a large sum for the great church to the sacred heart on Montmartre, granted powers for the forcible acquisition of the site, and assisted officially at the inauguration of the building. These manifestations in France were accompanied by the most violent language towards Italy and Prussia. The Education or May Laws of Bismarck led to a conflict with Pius the Ninth; and so threatening were the French bishops that the Cabinet of Berlin thought itself obliged to take official action. It found the French Government too feeble in rebuking its bishops, and warned it to take more effectual measures. When the French Ambassador appealed to the Pope, to quiet the bishops, the latter answered coolly that 'he did not interfere in politics'. Though Bismarck threatened war, in 1874, it is probable that he was only playing for new military votes from the *Reichstag*, which he obtained that April. Whatever his real intention, the words and acts of the French Ultramontanes were bristling with provocation. Louis Veuillot wrote 'France has only one thing to do, to give Victor Emmanuel a few months for clearing out of Rome, and, if he won't obey, to drive him out with an army. If Germany intervenes, God will be with us, and that will be sufficient.'[1] It is no wonder that Bismarck was minatory. If he wanted a pretext, the French clericals provided it. The French Minister of Foreign Affairs telegraphed, in alarm, 'The situation is charged with danger. It is indispensable that no pretext be furnished by our bishops, for the sinister designs of Germany are clear. I venture to hope you will obtain from the cardinal a despatch of wise and urgent admonition.'[1] The French Government thus had to appeal to a foreign authority to recall its own subjects to a sense of decency and patriotism. The danger was not imaginary, or magnified by panic; for the Czar warned the French

[1] Debidour, pp. 120, 124, 125, 126, 115.

Ambassador in Berlin of 'the dangers which might ensue to us (France) from ultramontanism'[1].

While these very real dangers were menacing from Berlin and Italy, Lavigerie was advising the legitimist pretender to begin a certain *coup d'État*, and a probable civil war. He was to make sure of various generals (Il y en a qui sont prêts, je le sais), and then to arrive between the dissolution of the Assembly and the new elections, and 'claim his rights by force'[1]. If the pretender did not come, it was his courage that failed; because he had no objection on principle to the employment of force. He had written that 'he did not fear to use force in the service of order and justice'[1]. It was fortunate, indeed, for France that the last direct heir of Louis the Fourteenth was a feeble personage.

Henry, Count of Chambord and Duke of Bordeaux, was posthumous son of the assassinated Duke of Berry. He was born in the ominous years of the Restoration, and was a boy of nine when Charles the Tenth was expelled. His surroundings were reactionary and clerical. He knew nothing of Frenchmen, and was brought up to hate all the principles in which they believed, and by which they lived. His wife belonged to the most reactionary of the grand-ducal families in Italy. Her father was the one European sovereign who never recognized Louis Philippe, and the grandson of Charles the Tenth never forgave the Orleans usurper. That the grandson of Louis Philippe was the eventual heir to Henry the Fifth, only added bitterness and disappointment to the family quarrel. The Orleans chance was a fairly good one; but the majority of the existing Assembly were legitimist, and hindered any appeal to the country, or any decisive political action, until the republic had solidified. A peace was patched up between the rival Pretenders, but only when it was too late. The Comte de Paris made his submission to Chambord, and by so doing branded his grandfather as a traitorous usurper. By coalescing with legitimacy, he lost his liberal supporters, most of whom were merged in the moderate republicans.

[1] Debidour, pp. 120, 124, 125, 126, 115.

And the legitimist pretender wrecked his own chances. It might be said more truly his own certainties; for the fruit was his, if he had stretched out his hand to seize it. The government were either all his, or willing to accept him. MacMahon was ready to retire. The nobles were already quarrelling over their places in the future Court. The ceremonial entry was arranged. Even the horses were bought, and the trappings made for the golden coaches. The governing classes, if not the people, were waiting for the king; and the church was doing everything to prepare his ways. The advent appeared certain; and then the pretender shattered all their hopes, and ruined his cause for ever. He would not renounce his white flag and his lily flowers. He would not even accept the *Tricolore* as a national flag, keeping his own royal standard. Nor would he take the *Tricolore* powdered with lilies. He would make no compromise, and give no pledges. If he could not enter by divine right, un-pledged, un-fettered, giving such concessions as he might choose, of his free will, he would not come at all. He would be the king of the old *régime*, or nothing. His accession must be the repudiation of 1789. All this was symbolized by his flag, and with his flag he would stand or fall. It was, in some aspects, a noble, or at any rate a chivalrous, attitude. It certainly was honest. Except in its honesty, it was precisely what a prince would learn from clerical and reactionary teachers. It was felt that the army would never renounce the *Tricolore*, the symbol of its revolutionary and Napoleonic glories; nor would the nation ever renounce its liberties, the ownership of its land, and the principles of 1789. The pretender destroyed all his claims when he published his reactionary declaration. We may admire his high principle, though we must deplore his narrow views. But he could have done France no greater service, being what he was, than by showing her that his restoration was impossible. His honesty, as I said, did not appeal to his clerical allies. Pius the Ninth was full of scorn for his chivalrous adhesion to principle. When he read Chambord's manifesto, he said 'Tout ça pour une serviette.' Chivalry and honesty were nothing to the

clericals, in comparison with ecclesiastical supremacy. Chambord lived to be asked by another Pope to abdicate his claims; and he replied mournfully, 'As the church does not allow suicide, it cannot require this of me,' but he saw Leo turn away from lost causes to cultivate the victorious majority.

When the legitimist cause was ruined, de Broglie still hoped for his Orleanist candidate, in spite of the reconciliation with Chambord. He still played for time; and MacMahon's presidency was conferred on him for seven years, after a vain attempt to make it ten, in the hope that the king might be enthroned before the *Septennat* was over. Republicanism, however, was growing as royalism declined. The country was clamouring for an election, as the Assembly represented only a minority. By-elections were all in favour of the republic, except one which pointed to a Bonapartist revival, and the desire for a new *plébiscite*. The Left grew larger, stronger, more compact, as the Right lost power and cohesion. It was led superbly in the Assembly by Thiers and Gambetta; and the influence of the latter throughout the country was enormous. In 1875, they managed to carry through the Assembly the new laws of the constitution. The republic was established definitely, instead of being provisional. Time had worked, not for the monarchists, but for the republicans. They were, nevertheless, excluded from the ministry. M. Buffet, a reactionary and a clerical, succeeded the Duc de Broglie, with a Cabinet containing only two members of the Left Centre; and the underground efforts of clericalism were incessant. That party still directed the ministry, and pressure was used on the whole *personnel* of the administration. The *petits fonctionnaires*, the *employés subalternes* in the public service, were spied upon, denounced, admonished, threatened by the dominant officials. Liberal school teachers and the professors of *lycées*, who were very much at the mercy of the *curés*, were repressed and silenced. The *Congrégation* increased rapidly in numbers, and worked with feverish activity. Their establishments of men, which numbered 1706 in 1870, had risen to 3,184 in 1877, with a

membership of 22,207 instead of 11,877. The various nuns had increased in the same period from 90,343 to 127,000.[1]

As a large number of religious, both men and women, were engaged in teaching, the old struggle for education was renewed. The church was not satisfied with all it got by the *Loi Falloux*, or by the advantages secured to it through the *Conseil Supérieur de l'Instruction*, which had been re-modelled in 1873, so that the direction of the University was still further reduced, and a preponderating ecclesiastical influence was secured. The church now aimed at complete freedom of primary and secondary education, and at setting up universities of its own, with power to confer degrees, without any State control or guarantee. 'One conquest, above all others, the church pined for. That which the second republic had not had time to give it, which the second empire had not allowed it to take, the clergy now claimed haughtily, as a debt, from the third republic. It was not enough for it to teach reading to the children of the people, and to educate the children of the governing classes. To mould children was good; but to manipulate youth was better. It wished to manufacture bachelors, barristers, doctors, and that freely, without control, so thoroughly that at the end of some years the liberal professions would be carried on and the public service filled only with its creatures.'[2]

The church was not satisfied by a proposal to share education with the State. It spurned regulations and control. It wanted complete freedom, no external standards and examiners, full power to give degrees. 'The perfect method of public education,' wrote a certain Father Martini, 'is for the church to possess the sole direction of teaching, in all its grades, that it should have the inspection and control of all schools, so that morals and dogma should everywhere be secured.'[2] Paul Bert brought in a bill proposing larger and freer powers for the University, which Dupanloup opposed, saying he recognized no freedom, except for the *good*, that is for those who agreed with the bishop of Orleans. Under the usual fallacies of 'liberty', the clerical

[1] Debidour, p. 133.

[2] Ibid. pp. 139, 140.

Right were willing to grant uncontrolled licence to the church, at the expense of the State. Challemel-Lacour alone had the courage and logic to observe that 'no liberty was owing to those who refused it to others'; and then he pointed out that the proposed catholic universities were merely devices for proselytism and propaganda; that they must lead to teaching and practising the *Syllabus*, which the majority repudiated and abhorred. He urged that to divide the nation into two camps was to prepare disaster. However, Dupanloup prevailed, and irresponsible university teaching was carried. The bachelorships of letters and science were reserved to the State, but all other degrees might be conferred by independent universities, which taught, not science, but 'christian science founded on the doctrines of the church'. Teaching was, in clerical eyes, not a mere schoolmaster's function, but a weapon for conflicts. 'Our final end,' said the ultramontane *L'Union*, 'is not only to vindicate catholic teaching, but to impose it on the State. We must efface from our French language that barbarous term "The University of France".'

This educational victory was the last achievement of the reactionary Assembly. France had come back to her normal state. 'She wished to be her own mistress. Although catholic, she rejected by a great majority, the theocratical pretensions of the papacy. Anti-clericalism became of necessity part of the republican theory.' For the Roman aggression was not confined to theories and theology. Pius the Ninth erected several universities in France, at Lille, at Angers, at Poitiers, 'by the plenitude of his apostolic authority,' besides altering the boundaries of dioceses. 'In the eyes of the church, French legislation was non-existent, and our country was merely a pontifical province.'[1] But liberalism was rising like a flood. Thiers and Gambetta had the ear of the country. The Press revived. Edmond About lashed the *Congrégation* with epigrams and ridicule. The general elections were approaching, and in 1876 they gave a majority of 200 to the republicans in the Chamber; and by winning 92 places in the Senate, they secured

[1] Debidour, pp. 147, 159.

almost an equality of voting power. Thus the *ordre moral* saw itself repudiated by the country, and a genuine republic in a fair way to be established.

The Marshal, however, still held to his small majority in the Senate. Buffet was succeeded by Dufaure, Dufaure by Jules Simon, and Jules Simon by de Broglie, in less than eighteen months. Gambetta fought on while the Chamber was impotent and the Élysée intractable. He showed how Vaticanism had invaded the French church, and possessed the bishops, who obeyed Rome blindly. They accepted the *Syllabus* and continually broke those laws to which alone they owed their privileges. He said he was favourable to the Concordat, but could not go on supporting it if it bound only one side, and were misused by the other. Then he added, in famous words, which have resounded ever since: *Le Cléricalisme, voilà l'ennemi.*

When Jules Simon was dismissed, on the 16th of May, 1877, de Broglie formed a reactionary Cabinet. MacMahon issued a reactionary manifesto. The Chamber could not work with the new Ministry: and the republicans in the Senate appealed to the country 'to resist a policy which threatened peace and order'. The 363 republicans in the Chamber protested 'against a policy of reaction and adventure, that challenged everything which had been gained so painfully during six years'. When a dissolution was threatened, Gambetta said 363 would go to the country, but 400 would come back. The Senate voted the dissolution by a small majority, and the country spent the summer and early autumn in the fever of an election. The Ministry made full use of its position to pack the public service, and to influence opinion. It even tried, but failed, to get an inspired article into *The Times*; and was covered with ridicule because, presuming on the insertion, it quoted from the paragraph which had not appeared. In the midst of the turmoil, Thiers died suddenly (Sept. 3) in a hotel at Saint-Germain; but his election address, which he had just published, contributed to the republican victory. So, too, probably did the Pope, and de Mun, and several bishops, who interfered in the election. The republicans did not

come back, as Gambetta said, 400 strong; but they reached that figure ultimately when about 80 reactionaries had been unseated for corrupt practices. Still MacMahon would not yield, and accept a republican ministry. De Broglie tried to get a new dissolution from the Senate, but failed and resigned. He was succeeded by a new Cabinet with which the Chamber would hold no relations. As the budget was due, the president had to give way. He summoned Dufaure again, who formed a Cabinet on his own terms, but he did not go beyond the Left Centre for his Ministers, and did not include in it Gambetta or any of the real majority.

When Gambetta's phrase is quoted, that clericalism is the enemy, when French liberals are accused of being necessarily anti-christian because they are anti-clerical, it should be remembered that the church party has forced this attitude on their opponents. During the election of 1877, the bishop of Limoges wrote thus: 'If a candidate hesitate, and distinguish between clericalism, ultramontanism, and the catholic religion, if he plead the necessity for opposing the alleged encroachments of the clergy and for maintaining the absolute rights of the State, or if he deny with impudence and coarseness all rights to the church, that man will be mischievous to France: you ought not, you cannot, with a good conscience, give him your votes.'[1] If Christianity, if catholicism, be thus identified with ultramontanism, with the full doctrine and claims of the *Syllabus*, and if the organization which so identifies it enter into political conflicts, those who are opposed to clerical policy cannot be blamed if they resist and battle in the ordinary way of politics.

The new government did not venture on any policy which justified the episcopal and papal violence. It suggested that primary education should be gratuitous, that training colleges for primary teachers should be established, and that teachers should be nominated by the rectors of the various universities. It was hinted also that the Concordat might be observed by the bishops, and that State payment should be withdrawn from those seminaries which

[1] Debidour, p. 180.

were taught, illegally, by the *Congrégation*. These very mild reforms were described as persecution, and their authors were compared to Robespierre. Gambetta counselled moderation, patience, strategy, until the Senate should become definitely republican; though he was not blind to the danger of the State, and the steady progress of the church. 'The question of the relations between church and State holds all others in suspense. In that is the root of hostility to modern thought, and that is the cause of the struggle which we must organize. This French State of ours has been submitted to a regular siege, and every day a breach is made in the edifice. Yesterday, it was the principle of mortmain; to-day, it is education.

'In 1849, it was primary teaching; in 1850, secondary; in 1876, higher education. Now it is the army, then public instruction, and again the recruiting of our navy. Wherever the Jesuit principle (*esprit*) can be insinuated, the clericals slip in and aim at domination. When a storm rises, they become small; and it is peculiar to their history that, as our country falls, Jesuitism rises. I maintain that the duty of the republican and democratic State is to respect religion, and to see that its ministers are respected, but its ministers must keep themselves within the bounds of law. I say that, in the relations of the clergy to the State, the law should be applied, the law in its entirety, and favour should be abolished. If you apply the whole law, order will return to France, and without any violence; because, once more, we have only to apply those traditions of our Third Estate from the time when it appeared first in our history until the waning light of the republic of 1848.'[1]

In the Senatorial election of 1879, for which Gambetta was waiting, out of 82 vacant seats, the republicans obtained 66, which transferred the majority from Right to Left, and put the two Chambers in agreement. MacMahon did not long survive the republican victory. Though President of the Republic, he was not a republican. He disliked and mistrusted liberalism, and no Ministry that he would

[1] Debidour, p. 196.

accept could satisfy the lawful and constitutional desires of the majority. The friction which ensued could only end in a *coup d'État*, or in the submission of the president, or in his resignation. He was too loyal to the country to attempt the first; and too loyal to himself to care about the second. After much hesitation, due to the clericals and to his personal surroundings, he resigned on the 30th of January, 1879. MacMahon would not lend himself personally to conspiracies or violence. Though the Count of Chambord came to Versailles in 1873 and requested an audience, the president would not receive him; and he declined some overtures from the Prince Imperial in 1879. He was eminently loyal. At the same time, the whole period of his presidency was utilized by others for dynastic and reactionary intrigues. The president himself strained the constitution, excluded the majority from office, and obstructed the manifest and growing wishes of the nation.

It was under these unfavourable auspices that the third republic came into being. It owed its existence very largely to the divisions of the royalists. Its steady progress, in spite of intrigues and opposition, was due to the tact and wisdom of Thiers, and also to the power and popularity of Gambetta. The republic was helped, as we cannot but realize on looking back, by the violent and uncompromising utterances and the unceasing hostility of the ultramontanes. From Pius the Ninth downwards, they lost no opportunity of depreciating liberalism, of misrepresenting the Revolution, of attacking the principles and institutions by which modern France has re-organized herself. The Count of Chambord described the Revolution of 1789 as 'the revolt of a minority against the wishes of the country'. A man who so misread the past and misunderstood the present could not be a saviour of society. The clerical party still repeats that its discomfiture is due to a faction, a minority, which in some mysterious way is able to impose its will on a people, not only free, but the most intelligent in the world.

The ultramontanes, besides misunderstanding the problem which they have to solve, discourage all those among them-

selves who might help them to solve it. Lamennais was driven out of the church. Montalembert died broken-hearted and disillusioned. Falloux in his old age was disgraced and disavowed, and was threatened with excommunication by Freppel of Angers. Of Dupanloup it is not easy to speak, because his career is inconsistent and contradictory. His liberalism, probably, did not go very far. In 1876, in his 'Second Letter to Minghetti', he disclaimed the name of liberal. 'I affirm that I have never spoken of modern liberties *dans le sens de la thèse, mais dans le sens de l'hypothèse.* I have never considered them as principles everywhere and always applicable. I have only taken them up as local concessions and existing facts' (*libertés locales et des faits.*) If so, Dupanloup's earlier life does not merit the praise which has been given to it.

The *Syllabus* records the attitude of Pius the Ninth towards non-catholic liberalism. He was, if possible, more bitter towards liberal catholicism. 'What I fear most', he said, 'is this catholic liberalism, which is a veritable plague. It is a see-saw which will destroy religion. Warn the members of your catholic associations that we have not in view the enemies of the church, who are known, but much more those who propagate and scatter the Revolution by pretending to conciliate catholicism with liberty.'[1] We are thus brought back, by the highest authority, to that incompatibility, proclaimed so clearly by de Mun, between the church and the Revolution. By the term Revolution, I understand the principles and theories of 1789, disengaged from the taint of politics and the crimes of politicians. They are not very different from the principles by which England has lived, or towards which she has been tending, since 1689. They are the principles on which the United States founded their constitution. These principles, as the Pope and his leading adherents declare, are incompatible with the principles of the *Syllabus* and the spirit of the Roman Catholic church.

The incompatibility is evident in France; but it extends also to our own English principles and institutions. That

[1] Debidour, p. 82.

it has not resulted, as yet, in open and violent friction is due only to the small numbers and the political insignificance of the English catholics. I am saying this, not to depreciate the English catholics, for whom, as a body and individually, apart from the Jesuits, I have a sincere affection; but I want to explain that when Englishmen accuse French liberals of violence, and persecution, and other such things, they fail to realize that the circumstances in France are entirely different from the circumstances here, that arguments from one country are not applicable to the other. Our laws and institutions are sometimes the contradictories of theirs. The French and the English often reach the same end by different means, and even by opposite ways. Our politics are not obstructed, our progress is not hindered, by a powerful organization, ruled from abroad, influencing a considerable number of the population, and not only violently opposed to all our institutions, but proclaiming that opposition with incredible violence, and practising it with unceasing activity. If we had a clericalism of that kind and extent, we should soon have a corresponding anti-clericalism; and we should not fail to proclaim and treat it as 'The Enemy'. If christianity were presented to us almost exclusively by such an organization, which claimed as well to be its exclusive and only genuine representative, we should find that anti-clericalism often expressed itself in anti-christian terms.

4. The Republic; Education; the Religious Orders.

From 1873 to 1879, there was a nominal republic, in which republicans were excluded carefully from office. The president was a conservative, and the Assembly was legitimist. It was not until the fall of MacMahon that the head of the State and the majority in both Houses represented the opinion of the country. Though that opinion was never doubtful, and though its representatives were always in power, it was many years before the administration of the republic was effective. If the republic owed its existence

to the divisions of its enemies, the continuance of its life was maintained in spite of its friends.

To MacMahon there succeeded Jules Grévy, a staunch republican, a veteran liberal of 1848. He did a great service by showing that the president's office should be impersonal, aloof from parties and politics, above them, not of them. We need not follow the interminable procession of ministers which hurries by during the next twenty years; and we are not concerned with the general ebb and flow of politics. The Concordat of 1802 is our base of operations: from that, and with reference to that, our main business is to consider the relations between church and State. Theoretically, there is no change of principle in those relations between 1802 and the Separation Law of 1905. Practically, an incalculable change was made by the *Syllabus* and the decree of Infallibility. The Concordat of 1802 was an agreement between the papacy of the eighteenth century and the survivors of the old Gallican church. On the French side, Gallicanism was the basis of the agreement: Gallicanism as tempered and purified by 1789, with the religious orders pruned away, as well as all the feudal relics of the old administration. During the next fifty years, Gallicanism was dying; and, as it withered, Vaticanism was growing. The decree of 1870 was virtually a condemnation of the historical church of France. Ultramontanes, especially English ones, talk in an airy way of the church of Bossuet and Fénelon. Such a thing does not exist. If it could revive, it would find itself heretical.

If the papacy found itself confronted by a new France in 1871, the French republic was confronted by a new papacy. With the old one, as we have seen, there was continual friction. Separation had been accomplished once. It was never lost sight of completely, and was desired earnestly by the liberal catholics of the Restoration. Napoleon's Concordat was a blundering arrangement, even at the time it was made. It never worked to the satisfaction of either party. It was altered and abolished several times within twenty years of its acceptance. It was wholly inapplicable to the spirit and institutions of both parties in 1871. That

Separation should have come at last is not surprising. It is only surprising that the Concordat should have been endurable for so long. The church always protested against it, but always utilized it. The Concordat was a passport, which gave the Pope a free entry into France. It secured him in a favourable position for extending his influence over the most important province of the papal monarchy.

That monarchy was being extended over France in two ways during the nineteenth century: by a monopoly of education, and by the growth of the religious orders. In mediaeval times, and under the old *régime*, the papacy struggled for jurisdiction, privileges, exemptions, patronage, territory. In modern times, it aims at the voters, the Press, the workers, at commerce and finance. Its chief agent is the *Congrégation*, which teaches, trades, prints and circulates, and probably speculates. The bishops are no longer heads of their churches, but only figure-heads, vicars and representatives of the Pope, who has absorbed the plenitude of episcopal authority. The governing power of the whole church is with the papal Congregations in Rome, that strange bureaucracy which professes to be universal and is almost exclusively Italian. The living and prevailing influence throughout the church is with the *Congrégation*, which is tending to overwhelm and absorb the secular clergy and the episcopate.

As we should suppose, from these premisses, the struggle between the church and the third republic takes the form, almost invariably, of a battle over education, or a campaign against the religious orders.

From our previous study, it should be realized that the papal church and the liberal republic are incompatibles, irreconcilables. It is not a quarrel of persons merely, but of principles. With the best will in the world, on both sides, differences are inevitable. And certainly, on one side, there was no good will. It is customary to describe the republic as aggressive, as wantonly aggressive; though I should prefer to omit the adjective, and to say defensive. I have shown the words and attitude of the ultramontanes to every government, from the Revolution onwards. They

were both provocative and aggressive during the period of the 'moral order'. When that 'order' was reversed, and the liberals possessed the administration, they did not, as might be expected, begin reprisals. Gambetta, Ferry, and other stalwarts would not hear of Separation. They were afraid of it. They thought it possible to work the Concordat, and they were resolved to maintain it. They were ready to meet any advances from the church more than half-way. But, in the two matters which I have mentioned, a conflict was inevitable. In a country of universal suffrage, education is vital. It is indispensable that voters should be literate. It is also advisable that children should be brought up in sympathy with the institutions under which they live, and which they will have to carry on. A clerical education did not satisfy these conditions, and it was conducted chiefly by the religious orders. Thus the questions of education and of the *Congrégation* hung together; and the republic had to deal with them both. In dealing with the orders, it must be remembered that liberal statesmen, like Ferry and Gambetta, thought they were acting strictly within the letter of the Concordat, and certainly the strict letter supports their view.

What I wish to place before my readers, so far as possible, is the French point of view, and the conditions which prevail in France. They are so different from our own methods and circumstances that we cannot judge them by analogy from England, without injustice to both sides in the saecular dispute between France and the papacy. The view of the opportunists was expressed with perfect lucidity by Paul Bert in 1888; and, after almost five-and-twenty years' experience, his penetration and foresight are even more remarkable than his lucidity. He was discussing Separation, and he wrote 'The conditions in which the church lives and moves are unfavourable for carrying out this proposal.... Before thirty years are over, this church, erased from the budget and the governmental fabric, removed from its presbyteries and buildings, but left entirely to itself, will have reconquered the position of which it had been deprived.... Let us begin by changing these conditions as a preparation

for our future triumph over the opinions which we are resisting now.... Let us begin by taking from the church that fictitious authority which it has assumed in the country. Let us require from it obedience to those concordatory laws which it has itself proposed. In fine, let us wait for the time when public education, and especially that of women, has reared minds capable of enduring firmly the period in which religious liberty may be established.'

He then went on to show how the church had gone far beyond the Concordat, by its own encroachments, and by the laxity of the various administrations. The *budget des cultes* had risen from 1,250,000 *francs* to about 50,000,000; *desservants* were paid by the State, and seminaries were endowed; buildings and national property were at the disposal of bishops and *conseils de fabriques*; the church had the monopoly of burial fees and profits; contributions were imposed on the *communes* in money or property; civil and military honours were given to the bishops. On the other hand, the legal process of *recours pour abus* was ineffective, so that the clergy had practically an immunity from the law. The articles of the penal code which were applicable to them were not applied; the seminarists enjoyed an exemption from military service; the increase of the *Congrégation* and of property in mortmain was alarming; the secular clergy continually ignored the *Organiques* with respect to residence, synods, dress, titles, correspondence with a foreign Power, oaths of allegiance to the State; the church was continually encroaching upon education and other public services.'[1] He pointed out that the *Organiques* were obligatory, as a logical result of the Concordat itself; and that the State, being sovereign, could not depend on a foreign Power for the police regulations of public worship. He demanded, therefore, that the church should be kept strictly within the letter of the Concordat. This was not done, and was not seriously attempted; but the ministries under President Grévy dealt with education and the religious orders.

In the Freycinet government of 1879, Jules Ferry was

[1] Debidour, pp. 332-3.

Minister of Education; and he introduced a bill to (1) disqualify the *lettre d'obédience* as a proof of capacity and an authorization to teach. That certificate of membership in a religious order was a very unjust preference, favouring the *Congrégation* and prejudicial to the lay teachers. As a result of it about 37,000 sisters were teaching in the various schools, of whom only 5,733 had certificates of capacity. The abolition was opposed furiously by the clericals, not only for the obvious reason that their teachers would be diminished; but for the more significant reason that the certificate of capacity would make their subjects free, by opening to them an independent professional career as teachers.

(2) It was proposed to re-model the *Conseil Supérieur d'Enseignement* by excluding from it those representatives of the *classes sociales* who had been put in six years before for reactionary purposes. The *Conseil* was to be composed henceforth of professional educators, chosen by law, or appointed by the State, with the addition of members representing voluntary education. The local administrations, the *conseils académiques* were to be re-formed in a similar way.

(3) The power of giving degrees of all kinds was withdrawn from the voluntary universities, and reserved exclusively to the University of France.

(4) The Seventh Clause, however, was the most offensive to the clericals. It ordained that 'Nul ne serait admis à participer à l'enseignement public ou libre, ni à diriger un établissement d'enseignement de quelque ordre qu'il fût, s'il appartenait à une congrégation religieuse non-autorisée'. This law would have eliminated many influential orders from education, and especially the Jesuits. The whole project was fought strenuously. It passed the Chamber, but the Senate removed Clause Seven.

With regard to paragraph (1) and the Letter of Obedience, it will be seen that the teachers of authorized orders suffered no injustice. They were merely put on the same level as other teachers. If they passed the standard of capacity, which the State required, properly, they were free to teach. Their superiors, however, were disturbed by this freedom;

as the bishops have always been disturbed by any proposals to give more security of tenure to the *desservants*.

In consequence of the Senatorial rejection of Clause Seven the Chamber voted, by 324 to 125, that the unauthorized *Congrégations* should be dissolved. It is necessary, in order to do justice to French legislation, to understand the principles of French law with regard to associations. The third republic devised no new principles of law, but merely developed precedents. It assumed no new powers, but only applied those which had been exercised without protest under the monarchy. The whole question has been treated luminously by Paul Bert and Waldeck-Rousseau. The latter says 'We must distinguish between two kinds of association, which are wholly different in their origin, their nature, their purposes, their methods, and the inconveniences which they may produce in a State. The *Congrégation* is not an ordinary association, not even a natural one. The State has a bounden duty to guarantee and maintain individual rights. But these rights are abdicated by persons who enter religious orders, into which they are not admitted except by the three vows of poverty, obedience, and chastity. . . . When you subtract from the human personality that which enables it to possess, that which makes it a reasonable being, and that which enables it to propagate, I ask how much of that personality remains. In the *Congrégation*, desires and intentions are not strengthened, by co-operation, as in ordinary associations, but they are annihilated for the benefit of a power which they did not establish, and whose interests may be contrary to those of the State. Equally under the old *régime* as under the new, all jurists are agreed in defending society against such associations by special safeguards.'[1] Paul Bert made the same distinction between communities and individuals. Liberty, he said, is due on principle to individuals, by the State; 'but this common right cannot be claimed by members of associations which one enters only by renouncing common rights; that is, by giving up individual freedom, the possession of property, and family rights.'[1] Another parliamentarian made a clear

[1] Debidour, pp. 324, 220.

distinction between associations of which all the members reserved and preserved their individual liberties, associating only for definite and specific objects; this, he said, was lawful: and *Congrégations* which abrogated the rights of man (personal freedom, property, marriage), which the State has guaranteed and preserved since 1789; this, he said, is unlawful, and out of harmony with French institutions. He argued that all *Congrégations* should be dissolved, whether authorized or no.

There is then a clear distinction, in the eyes of French law, between one kind of association and another. The distinction between individuals and associations is even clearer. Associations cannot be regarded merely as collections of individuals. They become corporate bodies; and, when they possess property and influence, the State must have a final power of regulation and control, extending to dissolution. Here we come to the bearing of the terms 'authorized' and 'unauthorized' which occur so often in ecclesiastical controversy. In French law, there are two personalities who have rights of property; individuals, and *personnes civiles*, or as we should say corporations and companies legally established. A *Congrégation* which is authorized becomes a *personne civile*, and acquires all the legal rights which are attached to this position. A *Congrégation* which is not authorized has none of these privileges. It is an outlaw. It has the rights neither of an individual, nor of a legal corporation. These legal and logical principles demolish those sentimental appeals, employed so often on behalf of religious associations by pseudo-liberals. They argue as though they were collections of individuals, each of whom possesses his full individual rights; but by their own act, in joining an order, such individuals have conveyed away those rights; and, if the order be not authorized, neither it nor its members have acquired any corporate rights.

It may be asked why all *Congrégations* do not apply for authorization? In some cases, they would not get it. French law has refused to recognize certain orders; but there are other reasons, which again are curious, and which would not occur to those who are unfamiliar with the conventual mind.

'It is not only through clerical pride, or contempt for the civil power, that *Congrégations* not recognized decline to apply for authorization. It is through a zeal for their material interests. Authorization implies a governmental inspection and auditing which would hinder their perpetual acquisitions.'[1] By remaining unauthorized, and by the connivence of skilful lawyers, the unauthorized communities secured all the advantages of the authorized, without the disadvantages of legal inspection and control. The individuals belonging to them also claimed individual rights, or the community claimed those rights in their persons. For instance, in matters of inheritance, a religious who owned property dies; and the community pleads his vow of poverty, and withholds his property from the legal heirs. On the other hand, a religious has a claim to property by the death of a relative; the vow of poverty is ignored, and he claims as an ordinary individual. By thus playing at see-saw between individual and corporate regulations, the unauthorized communities evaded almost every tax. 'When they owed the State eleven *francs*, they paid fifty *centimes*. The *Congrégation* disappeared as a legal entity and changed itself sometimes into an individual, sometimes into a *société civile* (a benefit or co-operative society) and their property became real or personal according to their needs.'[2] These religious became individuals for purposes of acquiring property, and societies when it came to paying taxes, or holding property. No wealthy religious ever died: his or her property was always the property of the community, held in its dead hand, withheld from circulation and from the State.

As to their property, it was shown that the authorized orders in 1849 owned 6,000 *hectares* valued at 43,000,000. In 1880, they owned 40,000 valued at 712,000,000. In 1825, the value of donations and legacies coming to them averaged about 88,000 *francs* yearly. In 1880, the average had risen to between 10,000,000 and 13,000,000. These were the official and admitted figures, of the authorized *Congrégations* only; and they received much more which was neither legal nor declared. The *budget des cultes* had grown with a similar

[1] Debidour, p. 261. [2] Ibid. p. 265.

rapidity. From 1794 to 1802, there was none; yet, as we have seen, most of the parishes were working. In the first year of the Concordat, it amounted to 1,258,000 *francs*. In 1813, when France had 130 Departments, it was 17,000,000, reduced to 13,000,000 under Louis the Eighteenth. By 1830, it had risen to 35,000,000, by 1848 to 39,000,000, by 1852 to 41,000,000. The second empire raised it to 50,000,000, and the third republic to over 53,000,000. This was from the central government alone. Counting local grants, the whole sum amounted to over 75,000,000. With the value of buildings, payments to teachers, grants to seminaries, legacies, donations, and the *casuel* it was estimated that the church received annually about 450,000,000 *francs* (£18,000,000 sterling). And this is how it was persecuted by a revolutionary and Jacobinical State.

The object of the State, in its education laws, in its policy towards the *Congrégation*, and in its wish to see the Concordat observed, was not to persecute, but to remove friction, and to enforce the law. The *Ligue de l'Enseignement* summed up the policy of the third republic in one of its manifestos. 'The future of the republic is at stake. We must know whether we are a sovereign people, disposing freely of our destinies, without permission from outside, or whether the decrees of our representatives must be countersigned by the Vatican; whether French law or the Roman law is to have the precedence. Whoever influences the schools, influences the world: whoever regulates French schools rules France. . . . Make people understand that we have not ousted God from the schools because our country has come into them; that we have not attacked the prerogatives of the clergy in giving to them entirely what is theirs; that we are not outraging the religious beliefs of the fathers of families by removing from children the possibility of a public outrage to the political or religious convictions of their parents.'[1]

[1] Debidour, p. 305.

5. Pius the Ninth and Leo the Thirteenth.

Many changes had occurred by 1880, when the Ferry laws were discussed and voted. The ministers of 1871 had been more compliant towards the church than the ministries of the second empire. Instead of being warned by the Vatican Council, they had yielded to the new militant and centralized ultramontanism. They did what no French government had ever done, not even under Charles the Tenth. They allowed the Nuncio to arrange the nomination of bishops, which was reserved so stringently to France by the Concordat. It was not surprising that the episcopate became wholly ultramontane; and when the government began to assert its right again, and to choose for itself, not only did Rome show ill humour, but the nominees of the State often purged themselves from suspicion by their extreme and rabid clericalism. Monseigneur Guitrel in *L'Anneau d'Améthyste* had many originals in the episcopate. When the next generation of ministers talked of applying the Concordat, they forgot there were not only no Gallican churches, but no Gallicans. They were also confronted by a new Pope, with a very different and far more subtil policy. Pius the Ninth died on February 7, 1878, within a few days of Victor Emmanuel. He had reigned thirty-two years. During that period, he had occupied rather than filled the pontifical seat. He was hailed as a liberal when he began to reign, as new Popes often are. If he had been a genuine liberal, he might have presided over united Italy. He preferred reaction, under Jesuit guidance; following that guidance, willingly, he gave his name to the *Syllabus*, and used his personal influence to secure papal Infallibility. He sacrificed united Italy to his Temporal Power, which he lost as he achieved his spiritual conquest. He was a handsome and kindly old man, with lustrous eyes, a clear voice, and a fine presence: he was the figure-head of the church, rather than the head. The organizing brains and the uncompromising pens were not those of Pius. He left the church in conflict with almost every European government; and his two legacies, the *Syllabus* and Infallibility, may

prove to have been dearly bought. They will probably turn out a ruinous investment, ending in bankruptcy.

His successor was in everything his opposite. The conclave met on February 18, and never had the cardinals been more free. In two days, they had elected Joachim Pecci, who made himself Leo the Thirteenth. He had begun a brilliant career in diplomacy, under Gregory the Sixteenth. He was made bishop of Perugia in 1846, and cardinal in 1852. He was practically banished to his Umbrian see, and only re-appeared in Rome after Antonelli's death in 1876. Pius the Ninth made him *Camerlengo*, which by precedent usually excludes from the papacy. Cardinal Pecci had followed the way of caution. He was very orthodox, very circumspect. He never spoke during the council. He pleased the liberal catholics, especially by his pastoral letters of 1877 and 1878, though he had no ostensible relations with them. He was known to be firm in his orthodoxy; to be as *intransigeant* as Pius himself, but to be flexible in mind, caressing in manner, a very superior diplomatist, a man to compose difficulties and conquer by negotiation. That was what the conclave wanted, and Leo supplied the want. The cardinals 'desired a Pope who would not repudiate the *Syllabus*, but who would utilize it by insinuation, and not brandish it like a weapon. Circumstances made for Pecci. Let us add that, as a clever politician, he knew how to second them a little; especially in gaining one of his rivals, Franchi, by promising him the secretaryship of State. Franchi could not have succeeded himself, but he might have wrecked Pecci's chances. All this did not prevent Leo from simulating astonishment, and even sorrow, after the manner of new Popes, when the requisite majority gathered round his name. He wept, and declared himself unworthy. But his tears were soon dried, and his humility did not refuse that *tiara* which his patient and astute ambition had pursued for so many years.'[1]

He was sixty-eight when he was elected, and he died at ninety-three. His reign of 25 years was filled with diplomatic successes. He made peace, where Pius had made

[1] Debidour, p. 187.

war, and gained more by diplomacy than his predecessor had lost by violence. Leo himself was a strange mixture. He was a scholar of the Humanist type, a pretty Latinist. He professed to be intelligent, yet he revived mediaeval scholasticism as the final word in philosophy, and his biblical exegesis might also have been written in the middle ages. He played with socialism, but only so far as it served the pontifical cause in Italy; and his working-men were kept under episcopal control. Leo was a zealous man of business; a speculator in that new Rome which he condemned, and yet put his money into. Like many others, he lost; and then patiently repaired his loss. He loved money; not only possessing it, but handling it. Not much, perhaps, remains of all his labour. France has separated the church from the State, and no longer recognizes the Pope officially. Spain is going the same way as France. Italy is less papal now than it was in 1878. Christian socialism, as Leo tried to construct it, is bankrupt. The German Emperor is the only ally of the papacy in Europe. But, personally, Leo is the most interesting and accomplished Pope who has reigned for many generations.

When Leo began to reign, the republic had a large majority, but it was impotent, through its factions and its personal quarrels. Leo was well served by his Nuncio, Czacki, through whom he made overtures to Gambetta. He offered to support the republic, if the republic would hand over education to the church. As Gambetta read the letter, he said, 'At the price they put on it, their support is too dear.'[1] Leo waited, and renewed his offers later. Neither Ferry, nor Gambetta, nor any of the opportunists were very serious in their measures against the church. France was building up a colonial empire, in Africa, in the Far East; and the liberals thought the catholic missions were profitable allies. They said anti-clericalism was not for exportation. They still believed in their protectorate in the Near East, and thought the papacy could help them. At home, they had private understandings with the *Congrégations* whom they affected to persecute in public. Their laws

[1] *La France Noire*, p. 224.

were not carried out. Freycinet was grievously compromised by a plot of this kind, and had to retire. Their policy was fatuous. It is clear they did not understand the papacy; except, perhaps, Paul Bert, who was never in power, and Ferry who was immersed in his imperialism. Otherwise, the 'attacks' of the government amounted to a process of *appel pour abus*, or the reduction of a bishop's stipend, which gained him the halo of martyrdom, and a large offering from the devout. 'They annoyed and irritated the enemy without hurting him. They made themselves hated, but not feared.' All the governments were weak, especially the *grande ministère* of Gambetta, which lasted only from November 14, 1881, to January 26, 1882; and, on the 31st of the following December, Gambetta himself was dead. The government of the republic failed to control the church. It had not the sympathy nor the loyalty of the army; at any rate, not of the officers. The magistracy was reactionary and clerical. And into this chaotic body politic Leo the Thirteenth introduced his methods of penetration. Weak as the republic was, he saw the monarchy was weaker, that it was dead, so he threw it over, and rallied to the republic. As he said, pointing to a crucifix, 'That is the only corpse to which the church is bound.'

Leo formulated his policy in a series of encyclicals, written in elegant and flowing prose, but more than usually ambiguous even for papal utterances. His position was very difficult. The majority of cardinals were *creatures* of Pius the Ninth, reactionary, intractable; and the Pope could not afford to alienate them. Neither could he alienate the French episcopate, which was mainly royalist. He exhorted the French to political agreement and conciliation, under the established order, which is of God. Leo 'rallied' to the republic, as it is expressed. It is often thought, erroneously, that the Roman church is opposed to republicanism, and prefers monarchy. That is a curious error. The church is indifferent to the forms of government. It asserts its own superiority to the civil power, and it cares little what form that power takes. It prefers a weak republic to a strong monarchy, if that monarchy be hostile.

It knows very well how to manipulate parties, and influence parliaments, and tune the Press, and excite the population. So long as it can influence legislation or bias the magistracy, it is indifferent to the nominal and outward form of administration. The church does not hold that republics are necessarily bad. They are bad only when they secure liberty of conscience, of education, of the Press. Then they are opposed to the mind and standards of the papacy; but even these things may be endured, if they cannot be removed.

Leo saw that they could not be ended by violence, by frontal attacks. The policy of Pius the Ninth, or of the *Gesù*, was a failure. He resolved to mend that evil which he could not end immediately. It might be ended in due time, when his adherents were organized, and had possession of the public services. The papacy rallied to the republic as the octopus rallies to its prey; coiling and wreathing its feelers over the victim, fixing its suckers, draining and embracing its antagonist. Leo's policy was not understood at first. Some of his adherents became republicans by order, as some of the ultramontanes of 1830 and 1848 became liberals by design; but many of the royalists stood out, and devout women prayed for the Pope's conversion. If Leo's policy had been followed intelligently and zealously, the republic would have become clerical. There would have been reaction, repression, confusion, perhaps civil war. As it was, the policy went a great way towards success, and for some years the country was not only disturbed, but in serious danger. The republicans were divided, weak, lulled into security; and the work of penetration went on. The *Congrégation* grew continually, extending its operations and influence. The army, the magistracy, the civil service, were filled with clerical sympathizers. But there were two disturbing elements, which brought matters to a crisis. The episode of General Boulanger showed how dissatisfied the country was, not with the existing *régime*, but with its weakness and its factions. In the elections of 1885 the republican vote sank to 4,327,162, and the reactionary vote rose to 3,541,384.

A series of unstable ministers added to the general discontent and insecurity. Then the republican institutions were openly threatened by General Boulanger, whose popularity brought the country within measurable distance of a *plébiscite* or a *coup d'État*. He was a candidate in many constituencies, won a striking election in the department of the Seine, and agitated for a *république ouverte*, with universal suffrage for the presidency. These dangers rallied and solidified the republicans. Boulanger was accused of treason, and fled. A general who runs away extinguishes himself; and this pretender committed suicide in Belgium, in 1892. His agitation had been financed by royalists, by the Comte de Paris himself. The royalist party was more than compromised by so ignominious an alliance; and the last chances of the Orleans family were wrecked in the disgrace of this adventurer. How far the church went into *Boulangisme* is less demonstrable. Boulanger entered politics as a violent anti-clerical. As he began to play for his own hand, he grew devout. Certainly, he bid for clerical support, and was favoured by all the reactionary parties. On the top of this trouble, came the Panama scandal, which compromised several republican leaders, and forced them out of politics. It added very seriously to popular mistrust of the republic. Meanwhile, the papal policy of penetration was working steadily and quietly. In some cases it was aided, and in others it was not opposed, by republican ministers. So thoroughly was it succeeding that the clerical party were too confident. They showed their hand before they had won the game; and the exposure of a plot, which they had certainly utilized, if they had not originated, brought matters to a crisis.

6. Dreyfus; Nationalism.

There is no need to go into the Dreyfus *affaire*. It is sufficient to say that from 1897 until 1900 the country was moved and troubled to its depths. Party and faction were stirred in a most dangerous way. 'By the heat of the passions which it roused, it can only be compared to the

disturbance over the Bull *Unigenitus*, of a hundred and sixty years before. It was also, I am pleased to say, a quarrel of Frenchmen over justice and injustice. The Dreyfus *affaire*, arising out of a secret judgment, had this danger, that the mystery which enveloped it favoured lying. At its root, one finds the Anti-semites, who had been trafficking in France for some time. And it would be a matter of astonishment that men should be found, in a time of quiet, among a people amiable and tolerant, reviving ancient race hatreds and fomenting religious war, if one did not know whence such men came, and did not recognize in them the emissaries of the Roman church. To the Anti-semites were soon adhering a large contingent of the *Parti Noir*, who in houses, in the streets, in country districts, scattered malign reports, whispered alarming rumours, spoke of treasons and plots, disquieted people through their patriotism, disturbed their security, steeped them in fear and anger. This party did not yet show itself in the light of day. It formed itself in the twilight into a vast and shadowy mass, recalling the monks of the League in their armoured habits. But when it had rallied all the forces of the counter-Revolution, and attracted numerous malcontents from the republic, and had blown up in front of itself all that human rubbish which can be driven by public opinion, it came out brazen-faced, monstrous, multifarious, and usurped the glittering title of Nationalism.

'The credulity of the multitude is boundless. The people, mis-led and frantic, tumbled in crowds into the trap of the Anti-semites. Too many of the leaders of republican opinion followed sadly after them. The legislature committed itself, with a blind mis-giving, in the silence of a government which was the dupe or the accomplice of the *Parti Noir*; a government from which the Nationalists had secured hostages. The general elections were coming on, and the *Congrégation* unmasked itself. Not that it lost patience, which never fails the religious orders. But it threw away all prudence, as a useless burden, and flung itself headlong into political strife. All the militia of the papacy was engaged. The unauthorized *Congrégations*,

feeling less encumbered, were the most audacious. Their action had been long prepared. In every ecclesiastical affair there is always constancy and continuity. To win a temporal domination in France, the church for several years had put forward her *franc-tireurs*, the unauthorized *Congrégations*; and the numbers of them increased perpetually as the invasion of France progressed.

'And under these circumstances, one meets again the old enemies of the civil power . . . the Jesuits. . . . That they had arranged the operations of the Anti-semites at the beginning of the *affaire*, is hardly doubtful. They are discovered later weaving intrigues in the War Office, to save those desperate men who sweated blood to submerge the truth. The Jesuits moreover had a holy cause to serve. They reckoned on the *affaire* to undo the crime of the Constituent Assembly; hoping that the treason of a Jew would compel a terrified and an indignant France to withdraw civil rights from Jews and protestants; and thus re-establish in our laws a unity of obedience which would be profitable to Roman catholicism. It appears they took less care than usual to hide their complicity.'[1] With the Jesuits and the Dominicans were the Assumptionists, and their newspaper *La Croix*, with all its Departmental editions; a vast organization, professing poverty, but with fourteen establishments, and a turn-over of £40,000 a year, made largely out of Saint Antony of Padua. They had confraternities and agencies everywhere. Their paper circulated in myriads, with its crucifix as a badge: 'ce symbole donnait, pour l'égarement des simples, l'onction d'un texte édifiant et la majesté des formes liturgiques à leurs sales injures et à leurs abominables calomnies.'[1] The Assumptionists founded *L'Œuvre Électorale Catholique*, to take part in every Departmental, municipal, local, and State election. They had an agency and an agent in every *commune* to look after elections. Ninety-six clubs were affiliated to them. Besides their electoral work, they had confraternities to protect and push their clients in trade, and to boycott their opponents. It was a huge system of terror and

[1] Anatole France, *L'Église et la République*, pp. 32-4, 36.

corruption. Yet the church is not political. The whole catholic Press was on the same side. Not a single bishop raised his voice to counsel restraint or caution, much less to recommend patience, lest truth and justice should be violated. Individual catholics who urged moderation and justice were overborne, denounced as traitors, calumniated.

The champions of truth came from the opposite camp. Zola, to his lasting honour, did for Dreyfus that which Voltaire had done for the Calas family, for Sirven. More fortunate than Voltaire, he delivered an innocent man before it was too late. When passion had cooled, and the rage of party had spent itself, and justice had spoken, France was horrified at the crime which had been committed in her name. She also realized what the papal policy of rallying to the republic meant. She saw how her army, her civil service, her voluntary schools, her magistrates, even her ministers and leaders had been 'penetrated' by Roman agencies, and duped by the *Congrégation*. The Jesuits especially had worked the army. They trained boys successfully for the examinations. So untiring was their zeal, that in a certain examination some of their pupils knew one of the papers beforehand, and of course did splendidly. The affair led to questions in the Chamber, but was hushed up.[1]

7. The Republican Rally.

The first result of the *affaire* was to rally the republicans. They sank their minor differences, and formed the *bloc*. For the first time, they united, and used their strength. A Cabinet, with a small majority, under the leadership of Waldeck-Rousseau, held office for an unprecedented time. The second and the inevitable result of the *affaire* was an effort to deal with the religious orders. The whole question had been treated, as we have seen, by Waldeck-Rousseau, some years before; and in July 1901, he brought in his Association Law. It ordained that no *Congrégrations* could be formed without authorization: that is, authoriza-

[1] Debidour, p. 158.

tion was made obligatory. *Congrégations* already existing, and not authorized, were to apply for authorization. Those which had not applied by a certain date, or which refused to apply, were to be dissolved. Their goods would be liquidated by the Courts. No unauthorized *Congrégation* was henceforth to teach. These regulations are often described as novel, as inventions of the Godless republic, and so forth. They are, in fact, wholly in the tradition of French law and practice. They can be traced back through the second empire, and Louis Philippe, and the Restoration, to the old *régime*. In 1749, Chancellor d'Aguesseau ordained that 'no new establishment of chapters, colleges, seminaries, religious houses or communities can be made without the king's leave. All donations made to unauthorized establishments are null. Such donations, if not claimed by the givers, fall to the crown, and are confiscated.' Similar legislation was framed a couple of centuries earlier 'in order that unauthorized property may not fall into mortmain'. The elections of 1902 turned on this law. Desperate efforts were made by the clericals and nationalists to beat the government. The nationalists came back a little stronger; but the progressists, the republicans who were not decidedly anti-clerical, lost, and on the whole the government majority was increased in the new Chamber. Waldeck-Rousseau then retired, recommending M. Combes as his successor. M. Combes began to apply the law, to the great indignation and surprise of the communities. In June 1902, he closed 127 establishments which had been founded, without authorization, since the passing of the law. And so the process went on, with disturbances in many places.

The Report on the *Congrégations* fills two thick volumes quarto, which contain between them 2,221 pages, covered with a bare enumeration of their names, numbers, and property. The total number of *Congrégations*, associations, and communities amounts to 1,546. Their landed property consisted of 48,757 *hectares*. The value of their property was estimated at 1,071,775,260 *francs* (about £42,880,000). A vast quantity of their wealth was not covered by these

returns. It must be pointed out that religious orders were not contemplated by the Concordat; that all unauthorized orders existed and acquired property at their own peril, knowing the law and the risks, and preferring those risks for the reasons already given; that all *Congrégations*, authorized and unauthorized, exist only by sufferance of the State, they have no rights against the State; that all these persons and all this property were subject ultimately to a foreign Power, and that they cannot be described as friendly towards the existing institutions of their country.

The elections of 1902 had returned a radical and socialist majority, which kept firmly together, and supported M. Combes. From that time onwards, the government policy has been endorsed by the country, in every election, by growing majorities. Departmental and municipal elections tell the same story. M. Combes has informed us that when he took office he did not mean to introduce a measure of Separation. He thought the time not opportune, and the policy not ripe; but that measure, which the liberals still regarded as theoretical and future, was made practical and urgent by the Vatican. The papal Secretary of State forced Separation into the sphere of practical politics. Leo the Thirteenth died in 1903, and was succeeded by Pius the Tenth. Soon afterwards, the President of the republic paid an official visit in Rome to the King of Italy, to celebrate that happy reconciliation between the two countries, which had been separated for so long, chiefly on account of Rome and the Temporal Power.

The Vatican was indignant that the head of the French State should recognize the usurper. It issued a Note of complaint to the French government, and to the other Powers. The Notes were stated to be identical; but it became known that Cardinal Merry del Val had not said to France precisely what he had said of her. The French nation took fire at this interference of a foreign Power in her national affairs. The radicals and socialists clamoured for Separation, and for a breach with the Vatican. The

government still delayed; but then followed the cases of two bishops, who were summoned to Rome, and who went finally, without the authorization of government. They were condemned there unheard, and deprived of their sees. All these acts were clearly a violation of the Concordat; and the French Ambassador to the Holy See was recalled. The Chambers approved the rupture of diplomatic relations with the papacy; and the Nuncio left Paris. Thus the ancient and often intimate relation between France and the pontifical Court was severed. Its ecclesiastical connexion with the papacy still remained to be dealt with.

8. Separation.

Various proposals for Separation had been presented to the legislature at different times; but the very notion of it was resisted fiercely by the Vatican and the French clericals. Though the church always protested against the Concordat, it knew better than to wish for its abolition. Experience had proved how advantageous it was to the church, and how little it availed to resist papal encroachments, to control the episcopate, or to check the religious orders. All the advantages of the Concordat were with the church: all the disadvantages, with the State. That part of it which professed, however inadequately, to control the papacy and the clergy was repudiated in principle, and calmly ignored in practice. There was no pretence of adhering to the letter of the agreement; and every attempt to apply the letter of the law was described as persecution. In spite of these unvarying experiences, many liberals still hesitated. Some thought Separation dangerous, as giving too much liberty to the church, and uncontrolled authority to the Vatican. Others thought Separation was an attack on liberty, because it violated the wishes of many catholics. The policy of Separation, however, was taken up seriously, and presented to the Chambers, after the events which have been described.

No one who reads the calm and learned *Rapport* of

M. Lecomte to the Senate, or the eloquent and luminous *Rapport* of M. Briand to the Chamber of Deputies, can assert that the subject was not presented judicially, and examined from every point of view. The measure itself is liberal and even generous. If as generous a measure of disestablishment should be carried in England, the persons affected by it would not have a substantial grievance. The first Article proclaims liberty of conscience, in the name of the republic, and guarantees the free exercise of all religions, subject only to the necessary regulations for public order. The second Article says the republic neither recognizes, nor salaries, nor subsidizes any religion. The various *budgets des cultes* of the State, the Departments, and the *communes* are henceforward suppressed, so far as public worship is concerned; but many chaplaincies are still provided for by public money. The *Conseils de Fabrique* and other boards of management for property are dissolved. By Article 3, an official inventory of all such property was ordered, to be made by government officials in the presence of representatives of the religious bodies. These inventories were granted at the request of the Right, of the clericals. They were intended solely for the protection of corporate property, pending its transference to new bodies; yet they were misrepresented, resisted, and made so far as possible an occasion for disorder. Article 4 provides for the conveyance of property to the new *associations cultuelles*, 'which are to comply with *the general rules and organization of the particular religious body which they represent.*' It is this clause which has been made the pretext for papal and episcopal resistance; but this clause is most favourable, perhaps too favourable, to the hierarchy. There is nothing to prevent the clergy from being members of these *associations*, or even the sole members of them; and the ultimate control is with the bishops, since they are nominally at the head of the 'organization of religion', in the Roman catholic body. Moreover, by the principles of that religion, a lawful bishop must be in communion with the Pope, or he ceases to be a recognized part of the 'organization'. The smallest minority of claimants, in case of dispute,

would thus have a right to the church property if they were recognized by the bishop in communion with Rome.

So far from promoting schism, or ignoring the hierarchy, this clause made the enjoyment of catholic church property conditional on communion with Rome. From a strict and logical point of view, this clause was reactionary and anti-liberal. Instead of leaving questions of church property to be decided by the majority, they were to be decided, over the heads of the majority, by the fact of communion with the papacy, through the episcopate: a matter with which the secular State has no concern, and which it should not have taken upon itself to enforce or even to decide. Clause 8 went on to say that matters of dispute, about property, are to be heard by the *Conseil d'État*, the last and highest French executive tribunal. This, again, has been objected to by clericals and papists. But no other final appeal is possible, without violating the sovereignty of the State. The State must be supreme in all matters of persons and property. It cannot admit a rival sovereignty, and still less a foreign sovereignty, over French affairs. As we have seen recently, in the Scottish Free Church dispute, matters of theology may depend on questions of property; and questions of property must be decided by the Courts of Law. In such matters, there is no difference between an established church and a so-called free church. The members of both, the property of both, are equally subject to the supreme authority of the State.

It will be seen, farther, that an equitable system of pensions was provided by the Separation law. Ministers above 60, who have served 30 years, receive three-quarters of their salary for life. Ministers over 45, who have served 20 years, receive half their salary for life. Ministers whose ages and services are below these figures receive, after the passing of the law, their whole salary the first year, two-thirds of it the second, one-half of it the third year, and a third of it the fourth year, when the payment ceases. In small *communes* of 1,000 inhabitants and less, the periods above mentioned are doubled; so that the State continues its salaries for eight years after the law is passed.

These are the chief Articles of the Separation Law. The law itself is given in full, in the Appendix, page 269.

This legislation was initiated by M. Combes. During the course of it, and after the law was passed, the principle of Separation was endorsed by the various electoral organizations of the country. The whole State, the Departments, the municipalities, approved it by large and ever growing majorities. Changes of ministry brought no change of policy in this matter. Every election since the Dreyfus *affaire* has shown that clericalism is a receding cause. It has lost ground steadily in the old royalist and reactionary districts, which were strongholds of clericalism for a century after the Revolution. The Separation Law was passed on December 9, 1905. Except for the few and wholly artificial disturbances over the inventories, the country has remained calm. Not a ripple has disturbed the ordinary smooth current of public life. People waited, with more curiosity than anxiety, to see what the church would do when the time came for applying the law. The vast majority of the clergy, over ninety per cent., applied for their pensions under its terms. The French bishops met, to discuss the new *associations cultuelles*, which had to be formed if the churches were to be retained, and public worship were to be carried on. It appears that a majority of the bishops were willing to accept the law, and make the best of it. In their opinion, it was canonical and workable. Their proposed scheme, however, was not ratified by the Pope, and they were forbidden to accept the law, or to form *associations cultuelles*.

The objections of Rome were to clauses 4 and 8. It was alleged that the former ignored the hierarchy, and that the latter gave a final decision, in ecclesiastical matters, to a lay tribunal whose members were not necessarily catholics. Neither of these grievances will bear examination, for the reasons already stated. By refusing to form the *associations cultuelles*, that is to accept the legal responsibility for churches and their finances, it was calculated that the law would be made impracticable, that the churches would be closed, and that confusion or grave disturbance

would ensue. The government did not oblige those who were pining for martyrdom, or playing for rebellion. It left the financial matter in suspense, and ordained that service might be held if legal notice were given, as for any other public meeting. The giving of that notice was then forbidden by the Vatican, on the pretext that the permission depended only on a ministerial order, and therefore had no permanent security. The Ministry met this objection by a short Bill, which put the matter on a legal footing. As the Vatican repeated its objection, the government repealed the law requiring any notification for public meetings, including religious services. Since then, the French bishops have had another meeting; and they have issued a new proposal, which is approved or inspired by the Vatican. They have demanded that the churches shall be made over to the parish priests for eighteen years, that the agreements shall not be valid unless each of them is countersigned by the bishop within a few days of its execution; and that every change of incumbent must be approved by the bishop in the same way before the agreement is ratified by the public authority. The bishops demanded, in addition, that these terms must be accepted by every local authority in France without any exception; otherwise, the proposal is withdrawn. They must be obeyed, not only by government and the Chambers, but by every *maire* in all the thirty thousand *communes* throughout the country. Their proposal is an ultimatum, arrogant in its tone, almost impracticable in its terms. The matter is still outstanding, and it remains to be seen how the government will act. The action of the bishops cannot be described as conciliatory to the nation, and it betrays a curious mistrust of the parochial clergy.

It may be asked, Why does the Vatican reject every proposal, though the rejection involves a grave monetary loss, throws the ordinary life and worship of the church into confusion, and seems to endanger the continuance or even the existence of French catholicism? It appears to be a suicidal policy, and to have no adequate reason. The Pope has tried to answer this question by appealing to the

'organic laws' of the church, which he says are violated by the project of Separation. But there are no 'organic laws' of the church. It has always proved itself adaptable and variable. If certain primitive canons might be called 'organic', they have been rendered obsolete long ago by the encroachments of the papacy itself.

The real reason for the Pope's obduracy is that the French government has ignored the papacy in the negotiation. Pius the Tenth repudiates the Separation Law for precisely the same reason which made Pius the Sixth ignore the *Constitution Civile*. In each case, France has managed its own affairs without consulting the papacy. If this procedure were admitted by Rome, it would endanger the whole papal system. If it were recognized as a precedent, other countries and churches might utilize it. The *Constitution Civile* acknowledged the primacy of Rome, and made communion with the bishop of Rome obligatory; but the papacy wants more than this: it wants jurisdiction, domination. On the other hand, the French government claims to be a sovereign power; and it cannot admit that any foreign authority has the right to intervene between itself and its own subjects, in a matter of property and persons. We have thus come back, on a practical issue, to that incompatibility, between the papal claims and a full sovereignty of the civil power, which underlies all the history that we have been considering. The claim of Pius the Tenth is the claim of Boniface the Eighth, of Innocent the Third, of Gregory the Seventh.

In feudal times, the Popes tried to make the European sovereigns into vassals of the Holy See, and to treat the national churches as fiefs of the Roman bishopric. Under the Renaissance monarchies, they claimed to depose sovereigns, and release subjects from their allegiance. In modern times, the Pope claims the right of ordering his subjects to disobey any civil law of which he does not approve. He does not go through the form of excommunicating obnoxious administrators, and releasing subjects from their allegiance, but he does practically the same thing when he says that legislation is unacceptable to him, and

when he goes on to order that it shall be disobeyed. In comparison with these tremendous claims, the monetary losses of a national church, the sufferings of its clergy, and the interruption of its religious life, are all secondary affairs in the estimation of the Vatican. So the matter rests for the present, between the two Powers whose claims are incompatible. For many centuries, a compromise was possible, because the incompatibility was dissembled. Philip the Fourth and Boniface the Eighth came to open war, to blows. Neither side ever really gave way, but a working agreement was patched up. The Bourbon kings and the Tridentine papacy agreed to differ. Gallicanism and Romanism pretended to form one church. Since then, the two Powers have both changed, and have both developed. France has carried through her Revolution. In spite of opposition and reaction, she is beginning to realize and apply all that she has gained. She has deposed a pseudo-theocracy, and established the Rights of Man. The papacy, also, has developed. It has drawn up the *Syllabus*, declaring implacable war against the Revolution. It has made its chief infallible; and, by so doing, it has centralized and concentrated its organization. It is difficult to see how any agreement is possible, without a sacrifice of principle. It remains to be seen which side will be forced to make the sacrifice.

9. Conclusion.

On the practical side of this question, we may perhaps draw some conclusions from our investigation of the past. It is asserted perpetually that the salaries given to the clergy by the Concordat were a compensation, an equivalent, for the church property which the nation had resumed in 1789; and that the State is committing a breach of trust, or an act of spoliation, when it withdraws these salaries, and abrogates the Concordat. The course of this history will, I trust, have shown that these arguments are fallacious. From Mirabeau downwards, from Bossuet even, these views have been refuted. When the *Constitution Civile* was legalized, when Separation was voted in 1794, when the Concordat

was being prepared, it was stated on one side, and admitted on the other, that the salaries of the clergy were neither a compensation nor a debt. They were not an equivalent for the property of the old First Order, which was dissolved, and had no heir except the State. They were salaries paid for services done; and they are terminable, like any other salaries, when circumstances change. When these salaries were voted, the majority of Frenchmen were, or professed to be, catholics. Though catholicism was not made the *religion de l'État* by the Concordat, it was the religion of the majority of the nation. It cannot be so described now. Circumstances have changed. It is equitable that financial relations should be modified to suit existing circumstances.

Again, we hear continually that the republic 'persecutes' the religious orders. No doubt the republic has been severe to some of them, and with sufficient reason. But the republic has only applied laws which every French government has administered without question. It is not the government which has innovated or changed. It is the church, or rather the papacy, which has changed since the opening of the nineteenth century.

The present controversy in France gives us the measure of this change. It is an object-lesson in Vaticanism. Not a single article of the faith is disputed or impeded by the French government. The whole difference is material, financial, administrative. It is merely *une affaire de sacristie*, hardly beyond the competence, one would have thought, of the parochial authorities, certainly within the jurisdiction of the episcopate. Yet what do we see? The episcopate of what was once the proudest, the strongest, the most independent church in Christendom is now unable to decide in a matter, not of doctrine, not even of discipline, but only of administration. When it does decide, it is overborne, and made to retract. Apparently, it is unable to produce a leader, an initiator. If this be the result after less than forty years of Vaticanism, those who value French catholicism must look forward with dismay to its probable degradation in another century.

There are other reasons, too, which must be disquieting for the admirers of French catholicism. For many years past, it has given itself over to new and extravagant devotions, which would have shocked the graver piety of its Fénelons and Bossuets. The material worship of the sacred heart, of the holy face, of Christ's bodily organs, as distinguished from his entire person; the growing and extravagant honours paid to his parents; the delirium over Saint Antony of Padua, and all the strange requests made to him; the pilgrimages, the miracles, the visions, the revelations of hell and purgatory; all these things, as propagated in the sacerdotal Press, and recommended in books of piety, must fill thoughtful observers with surprise, or with misgiving. The clerical Press itself is a portent. It can only be described as the *cloaca maxima* of Europe. Such a Press cannot be handled without contamination. It must be a cause of demoralization and pollution. Throughout this enquiry, quotations must have brought home to my readers the excessive violence with which ecclesiastical arguments are conducted. There is no prudence, no moderation, no decency. Everything is stated with exaggeration, in superlatives. Charles the Tenth was abused by clerical fanatics as a heathen, an atheist, because he would not go to every length they wished. It is not surprising that liberal statesmen are denounced in unmeasured language; but such methods defeat themselves, besides demoralizing those who employ them. They may deceive the public for a time, but they must be fatal in the end to those who use them.

We hear much again, from ultramontane sources, about the Freemasons, and their machinations against the church. It is true that early in the nineteenth century, under the pervading despotism of the Holy Alliance, masonic and other societies were utilized by the liberals for political purposes. As political tyranny relaxed, these uses of the secret societies declined. But no doubt they have been used to some extent as centres of liberalism in the battle against clericalism. The Lodges, so far as I know, are advocates chiefly of toleration and liberty. If they have

used violent language, they have been violently provoked. That they are deliberately and fundamentally anti-christian, I do not believe. That a small minority, however active, can coerce or cajole the great majority of Frenchmen, against their will, is incredible to any one who knows the French people. In all these matters, after the *fiasco* of Diana Vaughan and the exposures of Leo Taxil, the clericals would do well to show more humility and to practise less credulity. Whatever influence the Lodges may have, it is undeniable that the *Congrégation*, the innumerable catholic associations, confraternities, and societies, have exercised, and still try to exercise, a secret, an extended, and an organized influence. When 'delation' is complained of by the clericals, it may be retorted that delation is one of the gravest evils in the French church. According to the Jesuit principles, it is a duty, a necessity, a virtue. According to our English notions, it is an unpardonable and a deadly vice, odious by whomsoever it is used. I only wish to point out that, before English Romanists can blame the French liberals for practising it, they should reform their own principles, and recommend their party in France to do the same.

It may be asked, What will be the effects of Separation, and what is likely to be the future of French catholicism? I will not venture to prophesy; but it is always possible to examine the past, and to state existing facts. The material results of Separation will probably be very serious. It will winnow the catholics; separating from them that large number of people who adhere passively to a State church that costs them nothing, and may confer social if not pecuniary advantages. All statistics, and all reports, especially from catholics themselves, show that the number of persons practising their religion, technically 'in the church', obeying its laws and fulfilling their duties, is a very small percentage of the whole population. In country places, this shrinkage is evident, and therefore appears more serious; but it is probably even more serious, though for obvious reasons less evident, in the large towns. In one district, La Brie, of 216,000 inhabitants, 5,200, about 2 per cent., were returned as practising their religion in 1904. Bishop

Dupanloup reckoned 37,000 practising catholics in his diocese, out of a population amounting to 350,000. These figures are all vague; but the percentage of practising catholics is small. It is not hostility, but indifference, which leads to these results. The effect of them on finance is obvious. When State aid is withdrawn, the burden of maintaining public worship will fall on a comparatively small minority; and of that minority again, only a fraction will be able and willing to contribute large amounts. From the country districts, it will be very difficult to get anything; and the towns, as a whole, will probably give a disagreeable surprise to the episcopate. Roman Catholic missions, which have depended hitherto so largely on France, will probably suffer as the French church finds it even more difficult to meet its expenditure at home. For a similar reason, the contributions of Peter's Pence are likely to be seriously diminished.

There is a farther question, depending from this one, which will probably cause more anxiety than any other to the episcopate; namely, the question of the ministry. It has not been easy hitherto, for many years past, to recruit the clergy. The new state of things will add to this difficulty, which the church of Rome has to face in these days like all other churches. The difficulty is not only financial but intellectual. If it be difficult to get candidates for orders, it is even more difficult to keep them when ordained. History, criticism, the scientific mind and method, find their way into the presbyteries, and even into the seminaries. The traditional theology is giving way before them. No amount of 'authority' can defend books and traditions which are not able to face the ordinary methods of criticism and examination which are applied in these days as a matter of course, which are the outfit of every thinking man. The world has moved very far in these directions, even since 1870. Then, a few isolated historians opposed the Vatican decree, and had no support. Their words were in a tongue unknown to the clergy. In these days, it would not be possible to carry such a decree, in the face of history. The papal authority itself, and the whole tradi-

tional theology of the Roman church, are being subjected to a process which must either end them, or transform them.

There is a liberal catholic school of theology in France of great distinction. It has grown in spite of trouble and persecution. Its members are likely to have more trouble, and more persecution, in the immediate future, as the episcopate narrows, and the regular clergy grow more powerful; but the ultimate future is with these liberals, unless catholicism is going to lose all touch with the intelligence and honesty of the modern world. It is not so very long since the church claimed a monopoly of human knowledge. It professed to teach science, and to explain the universe. Its explanations have been proved untrue, and its science is obsolete. The church still professes to explain infallibly certain books; but science is claiming to prove that the ecclesiastical teaching is mistaken. When the teaching of the church can be tested, it is not her infallibility that is demonstrated. If we accept modern criticism, then it follows that the church has been grievously mistaken over the interpretation of her own sacred books. Her last claim, which is summed up in the decree of Infallibility, is to explain herself; but that claim is being dissolved by the same historical and critical processes which have modified our traditional notions of the Hebrew scriptures, and of the origin of all religions. For these problems, the Roman church has no better solution than any other christian society. It can only appeal to its authority; and that authority can only satisfy those who are already convinced. Those who require convincing will not find any proof or any solution within the Roman church which they cannot find equally without it.

As we look back over the period covered by this history, it is not easy to say what the papacy has done for France, except to cause perpetual friction and disturbance. No article of belief is in dispute now, or has been disputed within the French church, during the whole period which we have considered. The disturbances we meet with were

caused entirely by the encroaching papal jurisdiction. Those encroachments have become far more serious and irreconcilable since the papal church has been centralized by the Vatican decree. A free church in a free State is an excellent ideal; but, as long as the papal church is highly organized, under a foreign executive, it is hardly accurate to call it free. No civil government can admit an international society within its frontiers, which claims a sovereignty over its subjects, and unlimited rights over property: especially if the subjects and property are formed into corporations which will not submit to the ordinary legislation and control of the State. The difference between these rival claimants appears to be insoluble. On the other hand, though the difference is not soluble by the State in its public capacity, it is evidently being solved indirectly by the public. As we have seen, during the Revolution, under the first empire, the papacy could stir up grave troubles in France. Even under the second empire, Pius the Ninth could coerce an unstable dynasty: but Pius the Tenth seems unable to cause any serious trouble to a democratic and popular government. The mass of the people are evidently with the government, and not with the papacy. A solution, therefore, seems eventually not impossible. The clergy may be conquered in the end by *coups de liberté*, though they have triumphed previously by repression and persecution. As both sides saw clearly, this battle had to be decided in the schools; and the legislation of Jules Ferry and Paul Bert is now contributing to the victory of the third republic.

Though there has been a conflict of principles between the Revolution and the papacy, it is not proved, as I think, that the third republic has been 'persecuting' or actively hostile to the church. It has generally acted on the defensive, and has seldom tried to enforce the strict letter of the law. Even so, the Concordat has not worked smoothly. Mr. Bodley describes the Concordat as 'the statute or treaty of 1801, under which Church and State lived at peace in France for a century'.[1] I had no in-

[1] *The Church in France*, p. 114.

tention of refuting Mr. Bodley; but the facts, which I have left so far as possible to tell their own story, seem to convey to us, that since 1801 France has been disturbed unceasingly by the church question at home, or by the Roman question abroad. I admit, with Mr. Bodley, that 'the Concordat was the work of a stupendous genius';[1] but I can't see that Napoleon's genius is demonstrated by the Concordat. Nor did Napoleon think this himself. He pronounced the Concordat the great mistake of his reign; and, if we may judge by results, the most violent disturbances caused by it were those which happened in the earliest years of its existence.

Another conclusion, perhaps, which we might draw is this. France is too commonly held by us, or described by us, as changeable, unstable, revolutionary. At first sight, this charge might appear true: but, if we examine carefully, and sift the facts, we shall find throughout French history a disturbing element, not native, but foreign. That element is the papacy, acting directly, or through the national church. It is impossible not to see that the action of the church preceded and led up to the worst excesses of the Revolution. The same influence, modified happily in its powers of action, but even more violent in its expression, has impeded and tried to hinder the natural development of the Revolution. Hence the ferment and the troubles of the last thirty years. The policy which is expressed by the term Vaticanism has, indeed, caused much trouble to the State; but it has been absolutely ruinous to the church. The church had a splendid opportunity, and every advantage, under the Restoration. By misusing those opportunities, it caused the reaction of 1830. It had almost greater opportunities in 1848, and they were all wasted in mere violence and aggression. Even in 1871, all the trumps were in the hands of the church, and they were all wasted. We have seen how the great liberal catholics have, one and all, been treated. Our history has shown us that the ultramontane leaders will make no terms with liberalism. They identify catholicism,

[1] *The Church in France*, p. 114.

and even Christianity, with the most rigid form of clericalism. For consumption in England, catholicism is often minimized; but when presented by its official organs, from the papacy downwards, there is no minimizing. We are always told that we have to deal with an infallible authority, with the literal words of the *Syllabus*, pressed to their extreme conclusions. Those are principles which, at any rate, we can understand.

There are many illogical positions in this world, especially in theology; but there are few, as I think, so pathetic as the theological position of a man like the late Lord Acton. He believed his church to be infallible: but he also believed the organ and the only expression of infallibility was the chief obstacle to the success and progress of the church. French liberals have, as a rule, a juster and clearer notion of the papacy than most non-catholics and even than many catholics in England. At any rate, they take the authorities of the church at their word, when they identify Christianity with the church, and the church with clericalism. It is not surprising that French liberals are anti-clerical. The church never lets them forget the incompatibility between itself and the Revolution. Every Frenchman has to choose between the principles of 1789, and the principles of the *Syllabus*. It is not surprising, either, under these circumstances, that anti-clerical passion is often expressed in terms which are anti-christian. For my own part, if I thought, as ultramontanes assert, that clericalism and papalism were necessarily inherent in Christianity, I also should reject Christianity as more harmful than beneficial to human progress and well-being. So, I think, would the Founder of Christianity; and he, perhaps, has been too much overlooked as a possible arbiter in this debate.

Finally, let us remember that Separation means what the word implies. It does not mean an altered relation with the papacy, or a new relation. It means having no official relation at all. That is why Rome is so disconcerted, and so pertinacious. What the result may be, no one can say. Fortunate are those who seem likely to witness

the results in another fifty years. The evils which have been prophesied for the last century have not happened. France is more stable, more prosperous, more moral, more educated, now than it was then. It is impossible to read the published volumes of M. Hanotaux' *France Contemporaine* without being struck by four things: the marvellous recuperation of the country after the war; the steady progress and working out of the ideals of 1789, in spite of both friends and enemies; the long roll of distinguished names which honours the third republic, and maintains the traditional reputation of France; the high civilization which permeates the whole country, and is so evidently the heritage, not of a class, but of the people. A century ago, France was the pioneer of Europe in politics. It may be reserved for her logic and her equity to be our pioneer in resolving that problem which is expressed by the term socialism. It is not impossible that France may give us a solution of that religious question which is being presented to all the nations, and all the churches. The whole tendency of modern thought and institutions seems to indicate that it is not the churches which will give the final answer. I believe that Separation is inevitable, and will be beneficial, and will not be limited to France.

APPENDIX

LOI DU 9 DÉCEMBRE 1905

CONCERNANT LA SÉPARATION DES ÉGLISES ET DE L'ÉTAT

TITRE Ier

Principes.

Art. 1er. — La République assure la liberté de conscience. Elle garantit le libre exercice des cultes sous les seules restrictions édictées ci-après dans l'intérêt de l'ordre public.

Art 2. — La République ne reconnaît, ne salarie ni ne subventionne aucun culte. En conséquence, à partir du 1er janvier qui suivra la promulgation de la présente loi, seront supprimées des budgets de l'État, des départements et des communes, toutes dépenses relatives à l'exercice des cultes. Pourront toutefois être inscrites auxdits budgets les dépenses relatives à des services d'aumônerie et destinées à assurer le libre exercice des cultes dans les établissements publics, tels que lycées, collèges, écoles, hospices, asiles et prisons.

Les établissements publics du culte sont supprimés, sous réserve des dispositions énoncées à l'article 3.

TITRE II

Attribution des Biens. — Pensions.

Art. 3. — Les établissements dont la suppression est ordonnée par l'article 2 continueront provisoirement de fonctionner, conformément aux dispositions qui les régissent actuellement, jusqu'à l'attribution de leurs biens aux associations prévues par le titre IV et au plus tard jusqu'à l'expiration du délai ci-après.

Dès la promulgation de la présente loi, il sera procédé par les agents de l'Administration des domaines à l'inventaire descriptif et estimatif :

1° Des biens mobiliers et immobiliers desdits établissements ;

2° Des biens de l'État, des départements et des communes dont les mêmes établissements ont la jouissance.

Ce double inventaire sera dressé contradictoirement avec les représentants légaux des établissements ecclésiastiques ou eux dûment appelés par une notification faite en la forme administrative.

Les agents chargés de l'inventaire auront le droit de se faire communiquer tous titres et documents utiles à leurs opérations.

Art. 4. — Dans le délai d'un an à partir de la promulgation de la présente loi, les biens mobiliers et immobiliers des menses, fabriques, conseils presbytériaux, consistoires et autres établissements publics du culte seront, avec toutes les charges et obligations qui les grèvent et avec leur affectation spéciale, transférés par les représentants légaux de ces établissements aux associations qui, en se conformant aux règles d'organisation générale du culte dont elles se proposent d'assurer l'exercice, se seront légalement formées, suivant les prescriptions de l'article 19, pour l'exercice de ce culte dans les anciennes circonscriptions desdits établissements.

Art. 5. — Ceux des biens désignés à l'article précédent qui proviennent de l'État et qui ne sont pas grevés d'une fondation pieuse créée postérieurement à la loi du 18 germinal an X feront retour à l'État.

Les attributions de biens ne pourront être faites par les établissements ecclésiastiques qu'un mois après la promulgation du règlement d'administration publique prévu à l'article 43. Faute de quoi la nullité pourra en être demandée devant le tribunal civil par toute partie intéressée ou par le ministère public.

En cas d'aliénation par l'association cultuelle de valeurs mobilières ou d'immeubles faisant partie du patrimoine de l'établissement public dissous, le montant du produit de la vente devra être employé en titres de rente nominatifs ou dans les conditions prévues au paragraphe 2 de l'article 22.

L'acquéreur des biens aliénés sera personnellement responsable de la régularité de cet emploi.

Les biens revendiqués par l'État, les départements ou les communes ne pourront être aliénés, transformés ni modifiés jusqu'à ce qu'il ait été statué sur la revendication par les tribunaux compétents.

Art. 6. — Les associations attributaires des biens des établissements ecclésiastiques supprimés seront tenues des dettes de ces établissements ainsi que de leurs emprunts, sous réserve des

dispositions du troisième paragraphe du présent article ; tant qu'elles ne seront pas libérées de ce passif, elles auront droit à la jouissance des biens productifs de revenus qui doivent faire retour à l'État en vertu de l'article 5.

Le revenu global desdits biens reste affecté au payement du reliquat des dettes régulières et légales de l'établissement public supprimé, lorsqu'il ne se sera formé aucune association cultuelle apte à recueillir le patrimoine de cet établissement.

Les annuités des emprunts contractés pour dépenses relatives aux édifices religieux seront supportées par les associations en proportion du temps pendant lequel elles auront l'usage de ces édifices par application des dispositions du titre III.

Dans le cas où l'État, les départements ou les communes rentreront en possession de ceux des édifices dont ils sont propriétaires, ils seront responsables des dettes régulièrement contractées et afférentes auxdits édifices.

Art. 7. — Les biens mobiliers ou immobiliers grevés d'une affectation charitable ou de toute autre affectation étrangère à l'exercice du culte seront attribués, par les représentants légaux des établissements ecclésiastiques, aux services ou établissements publics ou d'utilité publique dont la destination est conforme à celle desdits biens. Cette attribution devra être approuvée par le préfet du département où siège l'établissement ecclésiastique. En cas de non-approbation, il sera statué par décret en Conseil d'État.

Toute action en reprise ou en revendication devra être exercée dans un délai de six mois à partir du jour où l'arrêté préfectoral ou le décret approuvant l'attribution aura été inséré au *Journal officiel*. L'action ne pourra être intentée qu'en raison de donations ou de legs et seulement par les auteurs et leurs héritiers en ligne directe.

Art. 8. — Faute par un établissement ecclésiastique d'avoir, dans le délai fixé par l'article 4, procédé aux attributions ci-dessus prescrites, il y sera pourvu par décret.

A l'expiration dudit délai, les biens à attribuer seront, jusqu'à leur attribution, placés sous séquestre.

Dans le cas où les biens attribués en vertu de l'article 4 et du paragraphe 1er du présent article seront, soit dès l'origine, soit dans la suite, réclamés par plusieurs associations formées pour l'exercice du même culte, l'attribution qui en aura été faite par les représentants de l'établissement ou par décret pourra être contestée

devant le Conseil d'État statuant au contentieux, lequel prononcera en tenant compte de toutes les circonstances de fait.

La demande sera introduite devant le Conseil d'État, dans le délai d'un an à partir de la date du décret ou à partir de la notification, à l'autorité préfectorale, par les représentants légaux des établissements publics du culte, de l'attribution effectuée par eux. Cette notification devra être faite dans le délai d'un mois.

L'attribution pourra être ultérieurement contestée en cas de scission dans l'association nantie, de création d'association nouvelle par suite d'une modification dans le territoire de la circonscription ecclésiastique et dans le cas où l'association attributaire n'est plus en mesure de remplir son objet.

Art. 9. — A défaut de toute association pour recueillir les biens d'un établissement public du culte, ces biens seront attribués par décret aux établissements communaux d'assistance ou de bienfaisance situés dans les limites territoriales de la circonscription ecclésiastique intéressée.

En cas de dissolution d'une association, les biens qui lui auront été dévolus en exécution des articles 4 et 8 seront attribués par décret rendu en Conseil d'État, soit à des associations analogues dans la même circonscription, ou à leur défaut, dans les circonscriptions les plus voisines, soit aux établissements visés au paragraphe 1er du présent article.

Toute action en reprise ou en revendication devra être exercée dans un délai de six mois à partir du jour où le décret aura été inséré au *Journal officiel*. L'action ne pourra être intentée qu'en raison de donations ou de legs et seulement par les auteurs et leurs héritiers en ligne directe.

Art. 10. — Les attributions prévues par les articles précédents ne donnent lieu à aucune perception au profit du Trésor.

Art. 11. — Les ministres des cultes qui, lors de la promulgation de la présente loi, seront âgés de plus de 60 ans révolus et qui auront, pendant trente ans au moins, rempli les fonctions ecclésiastiques rémunérées par l'État, recevront une pension annuelle et viagère égale aux trois quarts de leur traitement.

Ceux qui seront âgés de plus de 45 ans et qui auront, pendant vingt ans au moins, rempli des fonctions ecclésiastiques rémunérées par l'État, recevront une pension annuelle et viagère égale à la moitié de leur traitement.

Les pensions allouées par les deux paragraphes précédents ne pourront pas dépasser 1,500 francs.

En cas de décès des titulaires ces pensions seront réversibles, jusqu'à concurrence de la moitié de leur montant, au profit de la veuve et des orphelins mineurs laissés par le défunt et, jusqu'à concurrence du quart, au profit de la veuve sans enfants mineurs. A la majorité des orphelins, leur pension s'éteindra de plein droit.

Les ministres des cultes actuellement salariés par l'État qui ne seront pas dans les conditions ci-dessus, recevront, pendant quatre ans à partir de la suppression du budget des cultes, une allocation égale à la totalité de leur traitement pour la première année, aux deux tiers pour la deuxième, à la moitié pour la troisième, au tiers pour la quatrième.

Toutefois, dans les communes de moins de 1,000 habitants et pour les ministres des cultes qui continueront à y remplir leurs fonctions, la durée de chacune des quatre périodes ci-dessus indiquées sera doublée.

Les départements et les communes pourront, sous les mêmes conditions que l'État, accorder aux ministres des cultes actuellement salariés par eux des pensions ou des allocations établies sur la même base et pour une égale durée.

Réserve est faite des droits acquis en matière de pensions par application de la législation antérieure, ainsi que des secours accordés, soit aux anciens ministres des différents cultes, soit à leurs familles.

Les pensions prévues aux deux premiers paragraphes du présent article ne pourront se cumuler avec toute autre pension ou tout autre traitement alloué, à un titre quelconque par l'État, les départements ou les communes.

La loi du 27 juin 1885, relative au personnel des facultés de théologie catholique supprimées, est applicable aux professeurs, chargés de cours, maîtres de conférences et étudiants des facultés de théologie protestante.

Les pensions et allocations prévues ci-dessus seront incessibles et insaisissables dans les mêmes conditions que les pensions civiles. Elles cesseront de plein droit en cas de condamnation à une peine afflictive ou infamante ou en cas de condamnation pour l'un des délits prévus aux articles 34 et 35 de la présente loi.

Le droit à l'obtention ou à la jouissance d'une pension ou allocation sera suspendu par les circonstances qui font perdre la qualité de Français, durant la privation de cette qualité.

Les demandes de pension devront être, sous peine de forclu-

sion, formées dans le délai d'un an après la promulgation de la présente loi.

TITRE III

Des Édifices des Cultes.

Art. 12. — Les édifices qui ont été mis à la disposition de la nation et qui, en vertu de la loi du 18 germinal an X, servent à l'exercice public des cultes ou au logement de leurs ministres (cathédrales, églises, chapelles, temples, synagogues, archevêchés, évêchés, presbytères, séminaires), ainsi que leurs dépendances immobilières et les objets mobiliers qui les garnissaient au moment où lesdits édifices ont été remis aux cultes, sont et demeurent propriétés de l'État, des départements et des communes.

Pour ces édifices, comme pour ceux postérieurs à la loi du 18 germinal an X, dont l'État, les départements et les communes seraient propriétaires, y compris les Facultés de théologie protestante, il sera procédé conformément aux dispositions des articles suivants.

Art. 13. — Les édifices servant à l'exercice public du culte, ainsi que les objets mobiliers les garnissant, seront laissés gratuitement à la disposition des établissements publics du culte, puis des associations appelées à les remplacer auxquelles les biens de ces établissements auront été attribués par application des dispositions du titre II.

La cessation de cette jouissance, et, s'il y a lieu, son transfert seront prononcés par décret, sauf recours au Conseil d'État statuant au contentieux :

1° Si l'association bénéficiaire est dissoute ;

2° Si, en dehors des cas de force majeure, le culte cesse d'être célébré pendant plus de six mois consécutifs ;

3° Si la conservation de l'édifice ou celle des objets mobiliers classés en vertu de la loi de 1887 et de la présente loi est compromise par insuffisance d'entretien, et après mise en demeure dûment notifiée du Conseil municipal ou, à son défaut, du préfet ;

4° Si l'association cesse de remplir son objet ou si les édifices sont détournés de leur destination ;

5° Si elle ne satisfait pas soit aux obligations de l'article 6 du dernier paragraphe du présent article, soit aux prescriptions relatives aux monuments historiques.

La désaffectation de ces immeubles pourra, dans les cas ci-dessus

prévus, être prononcée par décret rendu en Conseil d'État. En dehors de ces cas, elle ne pourra l'être que par une loi.

Les immeubles autrefois affectés aux cultes et dans lesquels les cérémonies du culte n'auront pas été célébrées pendant le délai d'un an antérieurement à la présente loi, ainsi que ceux qui ne seront pas réclamés par une association cultuelle dans le délai de deux ans après sa promulgation, pourront être désaffectés par décret.

Il en est de même pour les édifices dont la désaffectation aura été demandée antérieurement au 1er juin 1905.

Les établissements publics du culte, puis les associations bénéficiaires seront tenus des réparations de toute nature, ainsi que des frais d'assurance et autres charges afférentes aux édifices et aux meubles les garnissant.

Art. 14. — Les archevêchés, évêchés, les presbytères et leurs dépendances, les grands séminaires et Facultés de théologie protestante seront laissés gratuitement à la disposition des établissements publics du culte, puis des associations prévues à l'article 13, savoir : les archevêchés et les évêchés pendant une période de deux années ; les presbytères dans les communes où résidera le ministre du culte, les grands séminaires et Facultés de théologie protestante pendant cinq années à partir de la promulgation de la présente loi.

Les établissements et associations sont soumis, en ce qui concerne ces édifices, aux obligations prévues par le dernier paragraphe de l'article 13. Toutefois ils ne seront pas tenus des grosses réparations.

La cessation de la jouissance des établissements et associations sera prononcée dans les conditions et suivant les formes déterminées par l'article 13. Les dispositions des paragraphes 3 et 5 du même article sont applicables aux édifices visés par le paragraphe 1er du présent article.

La distraction des parties superflues des presbytères laissés à la disposition des associations cultuelles pourra, pendant le délai prévu au paragraphe 1er, être prononcée pour un service public par décret rendu en Conseil d'État.

A l'expiration des délais de jouissance gratuite, la libre disposition des édifices sera rendue à l'État, aux départements ou aux communes.

Les indemnités de logement incombant actuellement aux communes, à défaut de presbytère, par application de l'article 136 de

la loi du 5 avril 1884, resteront à leur charge pendant le délai de cinq ans. Elles cesseront de plein droit en cas de dissolution de l'association.

Art. 15. — Dans les départements de la Savoie, de la Haute-Savoie et des Alpes-Maritimes, la jouissance des édifices antérieurs à la loi du 18 germinal an X, servant à l'exercice des cultes ou au logement de leurs ministres, sera attribuée par les communes sur les territoires desquelles ils se trouvent, aux associations cultuelles, dans les conditions indiquées par les articles 12 et suivants de la présente loi. En dehors de ces obligations, les communes pourront disposer librement de la propriété de ces édifices.

Dans ces mêmes départements, les cimetières resteront la propriété des communes.

Art. 16. — Il sera procédé à un classement complémentaire des édifices servant à l'exercice public du culte (cathédrales, églises, chapelles, temples, synagogues, archevêchés, évêchés, presbytères, séminaires), dans lequel devront être compris tous ceux de ces édifices représentant, dans leur ensemble ou dans leurs parties, une valeur artistique ou historique.

Les objets mobiliers ou les immeubles par destination mentionnés à l'article 13, qui n'auraient pas encore été inscrits sur la liste de classement dressée en vertu de la loi du 30 mars 1887, sont, par l'effet de la présente loi, ajoutés à ladite liste. Il sera procédé par le ministre de l'Instruction publique et des Beaux-Arts, dans le délai de trois ans, au classement définitif de ceux de ces objets dont la conservation présenterait, au point de vue de l'histoire ou de l'art, un intérêt suffisant. A l'expiration de ce délai, les autres objets seront déclassés de plein droit.

En outre, les immeubles et les objets mobiliers, attribués en vertu de la présente loi aux associations, pourront être classés dans les mêmes conditions que s'ils appartenaient à des établissements publics.

Il n'est pas dérogé, pour le surplus, aux dispositions de la loi du 30 mars 1887.

Les archives ecclésiastiques et bibliothèques existant dans les archevêchés, évêchés, grands séminaires, paroisses, succursales et leurs dépendances, seront inventoriées, et celles qui seront reconnues propriété de l'État lui seront restituées.

Art. 17. — Les immeubles par destination classés en vertu de la loi du 30 mars 1887 ou de la présente loi sont inaliénables et imprescriptibles.

Dans le cas où la vente ou l'échange d'un objet classé serait autorisé par le ministre de l'Instruction publique et des Beaux-Arts, un droit de préemption est accordé :

1° Aux associations cultuelles ;

2° Aux communes ;

3° Aux départements ;

4° Aux musées et sociétés d'art et d'archéologie ;

5° A l'État. Le prix sera fixé par trois experts que désigneront le vendeur, l'acquéreur et le président du tribunal civil.

Si aucun des acquéreurs visés ci-dessus ne fait usage du droit de préemption, la vente sera libre ; mais il est interdit à l'acheteur d'un objet classé de le transporter hors de France.

Nul travail de réparation, restauration ou entretien à faire aux monuments ou objets mobiliers classés ne peut être commencé sans l'autorisation du ministre des Beaux-Arts, ni exécuté hors de la surveillance de son administration, sous peine, contre les propriétaires, occupants ou détenteurs qui auraient ordonné ces travaux, d'une amende de seize à quinze cents francs (16 à 1,500 francs).

Toute infraction aux dispositions ci-dessus ainsi qu'à celles de l'article 16 de la présente loi et des articles 4, 10, 11, 12 et 13 de la loi du 30 mars 1883 sera punie d'une amende de cent à dix mille francs (100 à 10,000 francs) et d'un emprisonnement de six jours à trois mois, ou de l'une de ces deux peines seulement.

La visite des édifices et l'exposition des objets mobiliers classés seront publiques ; elles ne pourront donner lieu à aucune taxe ni redevance.

TITRE IV

Des associations pour l'exercice des cultes.

Art. 18. — Les associations formées pour subvenir aux frais, à l'entretien et à l'exercice public d'un culte devront être constituées conformément aux articles 5 et suivants du titre I^er^ de la loi du 1^er^ juillet 1901. Elles seront, en outre, soumises aux prescriptions de la présente loi.

Art. 19. — Ces associations devront avoir exclusivement pour objet l'exercice d'un culte et être composées au moins :

Dans les communes de moins de 1,000 habitants, de sept personnes ;

Dans les communes de 1,000 à 20,000 habitants, de quinze personnes ;

Dans les communes dont le nombre des habitants est supérieur à 20,000, de vingt-cinq personnes majeures, domiciliées ou résidant dans la circonscription religieuse.

Chacun de leurs membres pourra s'en retirer en tout temps, après payement des cotisations échues et de celles de l'année courante, nonobstant toute clause contraire.

Nonobstant toute clause contraire des statuts, les actes de gestion financière et d'administration légale des biens accomplis par les directeurs ou administrateurs seront, chaque année au moins, présentés au contrôle de l'assemblée générale des membres de l'association et soumis à son approbation.

Les associations pourront recevoir, en outre des cotisations prévues par l'article 6 de la loi du 1er juillet 1901, le produit des quêtes et collectes pour les frais du culte, percevoir des rétributions : pour les cérémonies et services religieux même par fondation ; pour la location des bancs et sièges ; pour la fourniture des objets destinés au service des funérailles dans les édifices religieux et à la décoration de ces édifices.

Elles pourront verser, sans donner lieu à perception de droits, le surplus de leurs recettes à d'autres associations constituées pour le même objet.

Elles ne pourront, sous quelque forme que ce soit, recevoir des subventions de l'État, des départements ou des communes. Ne sont pas considérées comme subventions les sommes allouées pour réparations aux monuments classés.

Art. 20. — Ces associations peuvent, dans les formes déterminées par l'article 7 du décret du 16 août 1901, constituer des unions ayant une administration ou une direction centrale ; ces unions seront réglées par l'article 18 et par les cinq derniers paragraphes de l'article 19 de la présente loi.

Art. 21. — Les associations et les unions tiennent un état de leurs recettes et de leurs dépenses ; elles dressent chaque année le compte financier de l'année écoulée et l'état inventorié de leurs biens, meubles et immeubles.

Le contrôle financier est exercé sur les associations et sur les unions par l'Administration de l'enregistrement et par l'Inspection générale des finances.

Art. 22. — Les associations et unions peuvent employer leurs ressources disponibles à la constitution d'un fonds de réserve suffisant pour assurer les frais et l'entretien du culte et ne pouvant en aucun cas recevoir une autre destination ; le montant de cette

réserve ne pourra jamais dépasser une somme égale, pour les unions et associations ayant plus de cinq mille francs (5,000 fr.) de revenu, à trois fois et, pour les autres associations, à six fois la moyenne annuelle des sommes dépensées par chacune d'elles pour les frais du culte pendant les cinq derniers exercices.

Indépendamment de cette réserve, qui devra être placée en valeurs nominatives, elles pourront constituer une réserve spéciale dont les fonds devront être déposés, en argent ou en titres nominatifs, à la Caisse des dépôts et consignations pour être exclusivement affectés, y compris les intérêts, à l'achat, à la construction, à la décoration ou à la réparation d'immeubles ou meubles destinés aux besoins de l'association ou de l'union.

Art. 23. — Seront punis d'une amende de seize francs (16 francs) à deux cents francs (200 francs) et, en cas de récidive, d'une amende double les directeurs ou administrateurs d'une association ou d'une union qui auront contrevenu aux articles 18, 19, 20, 21 et 22.

Les tribunaux pourront, dans le cas d'infraction au paragraphe 1er de l'article 22, condamner l'association ou l'union à verser l'excédent constaté aux établissements communaux d'assistance ou de bienfaisance.

Ils pourront, en outre, dans tous les cas prévus au paragraphe 1er du présent article, prononcer la dissolution de l'association ou de l'union.

Art. 24. — Les édifices affectés à l'exercice du culte appartenant à l'État, aux départements ou aux communes continueront à être exemptés de l'impôt foncier et de l'impôt des portes et fenêtres.

Les édifices servant au logement des ministres des cultes, les séminaires, les facultés de théologie protestante qui appartiennent à l'État, aux départements ou aux communes, les biens qui sont la propriété des associations et unions sont soumis aux mêmes impôts que ceux des particuliers.

Les associations et unions ne sont, en aucun cas, assujetties à la taxe d'abonnement ni à celle imposée aux cercles par l'article 33 de la loi du 8 août 1890, pas plus qu'à l'impôt de 4 % sur le revenu établi par les lois du 28 décembre 1880 et du 20 décembre 1884.

TITRE V

Police des Cultes.

Art. 25. — Les réunions pour la célébration d'un culte tenues dans les locaux appartenant à une association cultuelle ou mis à sa disposition sont publiques. Elles sont dispensées des formalités de l'article 8 de la loi du 30 juin 1881, mais restent placées sous la surveillance des autorités dans l'intérêt de l'ordre public. Elles ne peuvent avoir lieu qu'après une déclaration faite dans les formes de l'article 2 de la même loi et indiquant le local dans lequel elles seront tenues.

Une seule déclaration suffit pour l'ensemble des réunions permanentes, périodiques ou accidentelles qui auront lieu dans l'année.

Art. 26. — Il est interdit de tenir des réunions politiques dans les locaux servant habituellement à l'exercice d'un culte.

Art. 27. — Les cérémonies, processions et autres manifestations extérieures d'un culte continueront à être réglées en conformité des articles 95 et 97 de la loi municipale du 5 avril 1884.

Les sonneries de cloches seront réglées par arrêté municipal, et, en cas de désaccord entre le maire et le président ou directeur de l'association cultuelle, par arrêté préfectoral.

Le règlement d'administration publique prévu par l'article 43 de la présente loi déterminera les conditions et les cas dans lesquels les sonneries civiles pourront avoir lieu.

Art. 28. — Il est interdit, à l'avenir, d'élever ou d'apposer aucun signe ou emblème religieux sur les monuments publics ou en quelque emplacement public que ce soit, à l'exception des édifices servant au culte, des terrains de sépulture dans les cimetières, des monuments funéraires. ainsi que des musées ou expositions.

Art. 29. — Les contraventions aux articles précédents sont punies des peines de simple police.

Sont passibles de ces peines, dans le cas des articles 25, 26 et 27, ceux qui ont organisé la réunion ou manifestation, ceux qui y ont participé en qualité de ministres du culte et, dans le cas des articles 25 et 26, ceux qui ont fourni le local.

Art. 30. — Conformément aux dispositions de l'article 2 de la loi du 28 mars 1882, l'enseignement religieux ne peut être donné aux enfants âgés de 6 à 13 ans, inscrits dans les écoles publiques, qu'en dehors des heures de classe.

Il sera fait application aux ministres des cultes qui enfreindraient ces prescriptions, des dispositions de l'article 14 de la loi précitée.

Art. 31. — Sont punis d'une amende de seize francs (16 francs) à deux cents francs (200 francs) et d'un emprisonnement de six jours à deux mois ou de l'une de ces deux peines seulement ceux qui, soit par voies de fait, violences ou menaces contre un individu, soit en lui faisant craindre de perdre son emploi, ou d'exposer à un dommage sa personne, sa famille ou sa fortune, l'auront déterminé à exercer ou à s'abstenir d'exercer un culte, à faire partie ou à cesser de faire partie d'une association cultuelle, à contribuer ou à s'abstenir de contribuer aux frais du culte.

Art. 32. — Seront punis des mêmes peines ceux qui auront empêché, retardé ou interrompu les exercices d'un culte par des troubles ou désordres causés dans le local servant à ces exercices.

Art. 33. — Les dispositions des deux articles précédents ne s'appliquent qu'aux troubles, outrages ou voies de fait, dont la nature ou les circonstances ne donneront pas lieu à de plus fortes peines d'après les dispositions du Code pénal.

Art. 34. — Tout ministre d'un culte qui, dans les lieux où s'exerce ce culte, aura publiquement, par des discours prononcés, des lectures faites, des écrits distribués ou des affiches apposées, outragé ou diffamé un citoyen chargé d'un service public, sera puni d'une amende de cinq cents francs à trois mille francs (500 fr. à 3,000 fr.) et d'un emprisonnement de un mois à un an, ou de l'une de ces deux peines seulement.

La vérité du fait diffamatoire, mais seulement s'il est relatif aux fonctions, pourra être établie devant le tribunal correctionnel dans les formes prévues par l'article 52 de la loi du 29 juillet 1881. Les prescriptions édictées par l'article 65 de la même loi s'appliquent aux délits du présent article et de l'article qui suit.

Art. 35. — Si un discours prononcé ou un écrit affiché ou distribué publiquement dans les lieux où s'exerce le culte, contient une provocation directe à résister à l'exécution des lois ou aux actes légaux de l'autorité publique, ou s'il tend à soulever ou à armer une partie des citoyens contre les autres, le ministre du culte qui s'en sera rendu coupable sera puni d'un emprisonnement de trois mois à deux ans, sans préjudice des peines de la complicité, dans le cas où la provocation aurait été suivie d'une sédition, révolte ou guerre civile.

Art. 36. — Dans le cas de condamnation par les tribunaux de

simple police ou de police correctionnelle en application des articles 25 et 26, 34 et 35, l'association constituée pour l'exercice du culte dans l'immeuble où l'infraction a été commise sera civilement responsable.

TITRE VI

Dispositions Générales.

Art. 37. — L'article 463 du Code pénal et la loi du 26 mars 1891 sont applicables à tous les cas dans lesquels la présente loi édicte des pénalités.

Art. 38. — Les congrégations religieuses demeurent soumises aux lois des 1er juillet 1901, 4 décembre 1902 et 7 juillet 1904.

Art. 39. — Les jeunes gens qui ont obtenu, à titre d'élèves ecclésiastiques, la dispense prévue par l'article 23 de la loi du 15 juillet 1889 continueront à en bénéficier conformément à l'article 99 de la loi du 21 mars 1905, à la condition qu'à l'âge de vingt-six ans ils soient pourvus d'un emploi de ministre du culte rétribué par une association cultuelle et sous réserve des justifications qui seront fixées par un règlement d'administration publique.

Art. 40. — Pendant huit années à partir de la promulgation de la présente loi, les ministres du culte seront inéligibles au Conseil municipal dans les communes où ils exerceront leur ministère ecclésiastique.

Art. 41. — Les sommes rendues disponibles chaque année par la suppression du budget des cultes seront réparties entre les communes au prorata du contingent de la contribution foncière des propriétés non bâties qui leur aura été assigné pendant l'exercice qui précédera la promulgation de la présente loi.

Art. 42. — Les dispositions légales relatives aux jours actuellement fériés sont maintenues.

Art. 43. — Un règlement d'administration publique rendu dans les trois mois qui suivront la promulgation de la présente loi déterminera les mesures propres à assurer son application.

Des règlements d'administration publique détermineront les conditions dans lesquelles la présente loi sera applicable à l'Algérie et aux colonies.

Art. 44. — Sont et demeurent abrogées toutes les dispositions relatives à l'organisation publique des cultes antérieurement reconnus par l'État, ainsi que toutes dispositions contraires à la présente loi et notamment :

1° La loi du 18 germinal an X, portant que la convention passée le 26 messidor an IX entre le pape et le gouvernement français, ensemble les articles organiques de ladite convention et des cultes protestants, seront exécutés comme des lois de la République ;

2° Le décret du 26 mars 1852 et la loi du 1er août 1879 sur les cultes protestants ;

3° Les décrets du 17 mars 1808, la loi du 8 février 1831 et l'ordonnance du 25 mai 1844 sur le culte israélite ;

4° Les décrets des 22 décembre 1812 et 19 mars 1859 ;

5° Les articles 201 à 208, 260 à 264, 294 du Code pénal ;

6° Les articles 100 et 101, les paragraphes 11 et 12 de l'article 136 et l'article 167 de la loi du 5 avril 1884 ;

7° Le décret du 30 décembre 1809 et l'article 78 de la loi du 26 janvier 1892.

La présente loi délibérée et adoptée par le Sénat et par la Chambre des députés sera exécutée comme loi de l'État.

Fait à Paris, le 9 décembre 1905.

ÉMILE LOUBET.

Par le Président de la République :

Le Président du Conseil,
ministre des affaires étrangères,
ROUVIER.

Le ministre de l'instruction publique,
des beaux-arts et des cultes,
BIENVENU MARTIN.

Le ministre de l'intérieur,
F. DUBIEF.

Le ministre des finances,
P. MERLOU.

Le ministre des colonies,
CLÉMENTEL.

INDEX

A.

Abelard; 6.
About, Edmond; 190, 226.
Acquaviva; 81.
Acton, Lord; 267.
Aguesseau, Chancellor d'; 251.
Alembert, d'; 77.
Alexander VI (1492–1503) 57.
Alphonso of Ligouri; 28.
Anglicanism and *Constitution Civile*; 87–8.
Anneau d'Améthyst, l'; 242.
Anti-Semites; 248.
Antonelli, Cardinal; 136.
Antony of Padua; 249, 261.
Aquinas, Thomas of; 34.
Arago; 201.
Arcola, battle of; 120.
Argenson, d'; 75.
Arnaud; 197.
Arnold of Brescia; 6.
Arnold, Matthew; 198.
Artois, Comte d'; 148.
Association Catholique; 164.
Association Laws, French theories of; 238–40.
Assumptionists; 249–50.
Aulard (*Études*, 5me série); 66, 87, 116, 122, 127, 130.
Ausculta Fili, the; 13.
Authorization of Religious Orders, meaning of; 239, 240.
Autun; 3.
Avignon, 26; 120.

B.

Bailly; 67.
Baronius; 32.
Barras; 120.
Barre, La; 61.
Basle, council of; 18.
Bastile, the, taken; 64.
Bellarmine; 32, 33, 34, 35, 36.
Béranger; 153, 164.
Bernard, Jean (*Hist. Anecdotique*); 42.
Bernier, l'Abbé; 125.
Bernini; 99.
Bernis, Cardinal; 97.
Berry, duc de; 153, 222.
Berryer; 171.
Bert, Paul; 165, 219, 225, 235, 238, 245.
Berthier; 121.
Bismarck; 184, 185, 202, 221.
Bodley, Mr.; 45, 134, 265, 266.
Bodley, 'Church in France'; 46, 134.
Bologna, Concordat of; 19–21, 50, 56, 78, 89, 115, 149.
Bonaparte, Lucien; 134.
Boniface VIII (1294–1303) 6, 8, 10, 11, 12, 13, 14, 16, 32, 133, 145, 195, 258, 259.
Bonnechose, Cardinal; 202.
Bordeaux, Pacte de; 206.
Bossuet; 9, 35, 40, 59, 60, 61, 71, 79, 82, 132, 167, 259.
Boulanger; 246, 247.
Bourges, Pragmatic of; 18, 19, 21.
Bourges, Synod of; 18.
Braschi, Cardinal (Pius VI); 97, 98, 99.
Breviary, the; 24.
Briand, Aristide; 42, 44, 79, 83, 91, 153, 254.
Broglie, duc de; 219, 220, 224, 227, 228.
Buffet; 224, 227.

C.

Cacaut; 237.
Calas; 61.
Calonne; 63.
Cambon; 105, 117.
Cambridge Modern History; 62.
Camus; 69.
Carle, l'Abbé; 154.
Carlyle; 69.
Carnot; 120, 149, 172, 173.
Caprara, Cardinal; 137, 138.
Casaubon, Isaac; 29.
Castiglioni, battle of; 120.
Cavaignac, General; 170.
Cavour; 194.

Cayla, Madame du; 155.
Challemel-Lacour; 219, 255.
Chambord, Comte de; 208, 214, 222, 223, 224, 230.
Charlemagne; 5, 167.
Charles I of England; 64.
Charles V (1364–1380) 16.
Charles VI (1380–1422) 16, 17.
Charles VII (1422–1461) 18.
Charles VIII (1483–1498) 19.
Charles X (1824–1830) 154, 156, 157, 158, 166, 181, 204.
Charles-Albert; 170.
Chenier, André; 104.
Christ and Clericalism; 267.
Christ and *Écrasez l'Infâme*; 56.
Clement VIII (1592–1605) 33.
Clement XI (1700–1721) 37.
Clement XIII (1758–1769) 141.
Clement XIV (1769–1774) 39, 97.
Cléricalisme, voilà l'Ennemi; 227.
Cloaca Maxima of Europe, the; 126.
Colbert; 59.
Combalot, l'Abbé; 134.
Combes, M.; 134, 251, 252, 256.
Communauté, meaning of term; 147.
Commune, the; 206–8.
Conception, the Immaculate; 186.
Concordat; 95, 118.
Concordat, draft of between Directory and Pius VI; 119.
Concordat of Fontainebleau; 139.
Concordat of Napoleon, 90, 101, 114, 143, 152, 233, 234.
Congrégation, meaning of term; 147.
Consalvi; 124, 125, 127, 128, 130, 149.
Constitution Civile du Clergé; 78–93.
Convent, meaning of term; 147.
Convocations, English, their timidity; 90.
Coup d'Église; 186.
Coup d'État; 178–9.
Courier, P. L.; 153.
Cousin; 153, 154, 164, 173.
Crémieux; 201, 202.
Croix, La; 249.
Custozza, battle of; 170.
Czacki; 244.

D.

Dante; 4.
Debidour, M.; 41, 42, 45, 46, 48, 50, 51, 52, 53, 63, 69, 75, 76, 77, 81, 82, 86, 92, 100, 107, 118, 119, 120, 121, 123, 124, 130, 134, 137, 138, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 159, 160, 164, 165, 168, 169, 170, 171, 176, 178, 183, 185, 188, 192, 193, 194, 204, 206, 207, 209, 210, 211, 212, 213, 215, 220, 221, 222, 225, 226, 228, 229, 231, 236, 238, 240, 241, 243.
Decazes, duc de; 95.
Delation, clerical; 262.
Desachy (*La France Noire*); 47, 51, 244.
Desgarets, l'Abbé; 154.
Desmoulins, Camille; 108.
Diderot; 61, 152.
Dijon, bishop of; 130.
Dillon, Archbishop; 46, 54.
Döllinger; 197.
Dreyfus; 247.
Dubois, Cardinal; 88.
Dufaure; 227, 228.
Dupanloup; 144, 162, 173, 179, 192, 197, 202, 215, 225, 226.
Duphot, General; 121.
Duruy, Victor; 195.

E.

'*Écrasez l'Infâme*'; 56.
Education Laws of J. Ferry; 237, 265.
Edward I of England; 12.
Egypt; 121.
Elizabeth, Queen; 32, 82.
Emery, l'Abbé; 92.
Émigrés, the; 67, 82, 94.
Emmanuel, Victor; 221, 242.
Empire, the Second; 181–201.
'Encyclopaedia Britannica,' the, ix. 601; 80.
Encyclopedia, the; 39, 61.
England; 1.
Erasmus; 24, 25.
Établissement, meaning of term; 147.

F.

Falloux; 168, 170, 171, 173, 175, 197, 231.
Falloux, Loi; 172–7.
Farnese, the; 26.
Faure, Jules; 201.
Fénelon; 79.
Ferrara; 120.
Ferry, Jules; 201, 219, 235, 236, 244, 245.

Fleury, Cardinal; 38.
Fontainebleau; 138, 142.
,, Concordat of; 139.
Fox, Charles; 65.
France, Anatole; 137, 247-9.
,, ,, *L'Église et la République*; 137, note.
Franchi, Cardinal; 243.
Francis I (1515-1547) 19, 21, 40, 50, 80, 115, 126, 149.
Frayssinous, 197.
Frederic II, Emperor; 14.
Free-masonry; 261.
Freppel, Bishop; 231.
Freycinet; 236, 245.
Froude; 23.

G.

Gallican Articles of 1682; 35, 36-41.
Gallican Church of 18th century; 41-58.
Gallican Church, origin of; 9.
Gambetta; 201, 204, 209, 215, 219, 224, 226, 227, 228, 229, 230, 235, 244.
Garibaldi; 142, 194, 195, 206.
Gaume, l'Abbé; 154.
Génin; 154.
Gerson; 18.
Ghent; 149.
Girondins; 106-8.
Gospel, the; 61.
Grandmaison; 147.
Grégoire; 69, 105, 142.
Gregory I (590-604) 4.
Gregory VII (1073-1087) 144, 188, 258.
Gregory XVI (1831-1846) 144, 188, 190, 243.
Grévy, Jules; 233, 236.
Guarantees, Italian Law of; 211.
Guibert, Arch-bishop; 202.
Guignard, S.J.; 34.
Guitrel, Monseigneur; 242.

H.

Hale, Lonsdale; 203.
Hanotaux; 207, 268.
Henry IV; 33. 34, 40, 67.
'Henry V'; 220.
Henry II of England; 7, 14.
Henry III of England; 7.
Henry IV of England; 158.
Henry V of England; 17.
Henry VIII of England; 14, 33, 80, 82, 125.
Henry IV, Emperor; 192.
Hildebrand; 161, 192.
Hincmar; 110.
Hohenlinden, battle of; 125.
Hugo, Victor; 176, 206.
Hume; 61.
Huss; 17.

I. J.

Jacobins; 107.
Jansenists; 37, 38, 79.
Jerome of Prague; 17.
Jervis; 102.
Jesuits; 15.
Jesuits, suppression of in France; 39.
Jesuits, restoration of; 140, 147, 164.
Jésus, le Sansculotte; 167.
Jesus, Society of; 27-31.
Jeu de Paume; 64.
Ignatius Loyola; 27, 31.
Imperial, the Prince; 230.
Ineffabilis Amor, the; 12.
Infallibility; 130, 149, 233.
Infallibility, definition of; 199.
Infâme, Écrasez l'; 56, 65.
Innocent III (1198-1216) 6, 7, 8, 11, 100, 145, 161, 188, 258.
Innocent VIII (1484-1492) 26.
John of England (1199-1216) 7.
Joseph, Saint; 210.
Jouffroy; 153.
Irenaeus; 2.
Julius II (1503-1513) 26, 57.

K.

Kitchin, Dean; 80.

L.

Lacordaire; 162, 168, 176, 179.
Lafayette; 157.
Lamarque; 129.
Lamennais, de; 144, 153, 154, 160, 161, 162, 167, 194, 197, 198, 231.
Lancasterian System; 149.
Lanessan; 45.
Lanjuinais; 95.
Lateran, council of; 19, 21.
Laval, bishop of; 130.
Lavallée; 34.
Lavigerie, Cardinal; 220, 222.
Laynez; 31.

Lazarus; 3.
Lecomte (*Rapport*); 128, 136, 254.
Lecourtier, Bishop; 192.
Lecoz, Bishop; 123.
Leibnitz; 61.
Leo I (440-461) 4.
Leo X (1513-1521) 17, 21, 26, 88, 98, 115, 165.
Leo XIII (1878-1903) 141, 188, 212, 245, 246, 252.
Leo XIII, his election and character; 243-4.
Liancourt, duke of; 65.
Liautard, l'Abbé; 151, 155.
Lilly, Mr. W. S.; x, xi, xii, 34.
Littré, 194.
Locke; 61.
Lodi, battle of; 120.
Loi Falloux; 172-7.
Loubet, President; 129.
Louis IX (1226-1270) 7, 9, 12.
Louis XI (1461-1483) 19.
Louis XII (1498-1507) 19.
Louis XIV (1643-1715) 9, 35, 37, 38, 50, 56, 59, 60, 75, 78, 79, 118, 165.
Louis XV (1715-1774) 38, 39, 40, 56, 60, 61, 62, 75, 76, 141.
Louis XVI (1774-1792) 54, 62, 64, 65, 70, 76, 94, 96, 100, 103, 109, 110.
Louis XVIII (1814-1824) 116, 122, 126, 143, 148, 149, 155, 241.
Louis Napoleon; 168, 170, 171, 177, 178, 179.
Louis Philippe (1830-1848) 112, 158, 163, 166, 168, 194, 204.
Louis Philippe, reign of; 158-166.
Ludovisi, the; 26.
Lunéville, Treaty of; 126.
Luther; 32.
Luynes, Cardinal de; 97.

M.

Macaulay; 37.
Macé, Jean; 215.
Machiavelli; 30.
MacMahon; 218, 219, 220, 223, 224, 227, 228, 229, 230, 232, 233.
Maistre, Joseph de; 140, 160, 161.
Manning, Cardinal; 187, 198.
Marengo, battle of; 122, 125.
Mariana; 33.
Marie-Antoinette; 64, 108, 110.
Martin V. (1417-1431) 17, 18.
Martineau; 83, 90.
Martini; 225.
Martiniana, Cardinal; 122, 125.
Masson, Frédéric; 97.
Mathieu, Cardinal; 124, 128, 137.
Mazzini; 170, 171.
Mérimée; 201.
Mérode, de; 198.
Merry del Val, Cardinal; 252.
Michelet; 52, 106, 153, 178.
Mirabeau; 72, 151, 259.
Missions de France; 151.
Montalembert; 144, 158, 161, 162, 163, 166, 168, 170, 171, 173, 177, 178, 179, 180, 183, 197, 198, 231.
Montesquieu; 39, 61.
Montesquiou, l'Abbé; 148.
Montlosier; 96, 156.
Mortara, le petit; 190-1.
Mun, Comte Albert de; 212, 227, 231.

N.

Napoleon; 112, 120, 121, 122, 123, 126, 129, 130, 135, 149.
Napoleon, and Italy; 120-25.
Napoleon III; 181, 183, 184, 185, 187, 192, 193, 196, 200, 202.
Napoleon III, his empire and character; 183-5.
Napoleon III and the French Church; 181-3.
Nationalism; 247, 248.
Necker; 53, 63, 64.
Nero; 155.
Newton; 61.
Nielsen ('Hist. of Papacy'); 97, 119.
Nogaret, William of; 10, 13, 14.
Novara, Battle of; 170,

O.

O'Connell; 163.
Olympians, the; 144.
Organic Articles; 127, 132-3.
Orleans, la Duchesse d' (*Correspondance*); 38, note.
Oxford Movement; 162.

P.

Papacy and Revolution, Incompatibles; 101-2.
Papal States, government of; 189-92.
Paris, Comte de; 222, 247.
Parisis, Bishop; 168, 177.
Parsons, Father, S.J.; 31.

Parti Noir; 248.
Pascal; 36, 56, 59, 164.
Pasquier, on Jesuits; 76.
Pattison, Mark; 29.
Paul III (1534–1549) 27.
Paul V (1605–1621) 99.
Peregrinus Apostolicus (Pius VI); 99.
Petite Église; 130.
Philumena, Saint; 219.
Pie, Cardinal; 220.
Piranesi; 99.
Pisa, Council of; 19.
Pius V (1566–1572); 171, 271.
Pius VI (1775–1795) 57, 83, 96, 99, 100, 101, 121, 144.
Pius VI, his appearance and character; 97, 99.
Pius VI, register of his death; 121.
Pius VII (1800–1823) 15, 57, 121, 122, 125, 126, 129, 130, 135, 138, 139, 147.
Pius VII, his life and character; 139–43.
Pius IX (1846–1878) 13, 32, 100, 165, 170, 177, 181, 185, 186, 187, 189, 196, 198, 210, 223, 226, 230, 231.
Pius IX, his life and character; 242–3.
Pius X; 252, 258, 259.
Politique tirée de l'Écriture Sainte (Bossuet); 60, 68.
Portalis; 134.
Port Royal; 37, 59.
Port Royalists; 36.
Press, the Clerical; 261.
Pressensé, E. de; 60.
Propagation de la foi; 183.

Q.

Quanta Cura, the; 187.
Quesnel's *Réflexions Morales*; 37, 38.
Quinet; 153, 154.
Quod Aliquantum, the; 101.

R.

Ravaillac; 34.
Ravignan; 179.
Reason, Goddess of; 107.
Reformation, the; 22–4.
Renaissance, the; 24, 25.
Renan; 14, 194.
Republic, the Second; 167–80.
Republic, the Third; 201–68.
Restoration, the; 112.
Restoration, the Monarchy of; 144–57.
Revolution, the; 59–114.
Revolution, constructive work of; 116–18.
Revolution and Papacy, Incompatibles; 101–2.
Richelieu; 40, 59, 110, 118.
Rights of Man, the; 68–9.
Robespierre; 107, 108, 120.
Rochefort, H.; 201.
Rocquain; 38.
Rohan, Cardinal de; 45, 46, 47.
Romanism, The New; 32–5.
Royer-Collard; 156.
Rue du Bac, Association of; 147, 151.

S.

Saint-Just; 95.
Saint-Simon, Duke of; 89.
Savona; 138, 142.
Say, Léon; 219.
Second Empire; 181–200.
Second Republic; 167–80.
Sedan, battle of; 201, 218.
Ségur, de; 212.
Separation of State and Church, 1794; 115, 116.
Separation of State and Church, 1905; 253–59.
Separation Law of 1905 (Text); 269–83.
Sibour; 173.
Sicard, l'Abbé; 45.
Simon, Jules; 172, 201, 215, 227.
Sirven; 61.
Sixtus IV (1471–1484), 26, 57.
Solferino, battle of; 193.
Spina; 124, 125, 126.
Staël, Madame de; 124.
States-General; 15, 34, 63.
Sully, duke of; 17.
Syllabus of 1864; 100, 140, 144, 187–9, 192, 193, 194, 195, 196, 198, 212, 226, 228, 231, 233, 259.

T.

Taine; 42, 44, 45, 47, 194.
Talleyrand; 3, 41, 71, 91, 103, 118, 125, 130, 217, 218.
Talleyrand, life and character of; 108–14.
Taunton, E. L.; 32.

Taxil, Leo; 262.
Tellier, Le, S.J.; 37, 38, 39.
Terror, Reign of; 107, 108.
Thiers; 170, 171, 172, 173, 177, 193, 201, 204, 205, 213, 214, 215, 216, 219, 224, 226, 227, 236.
Thiers and the Commune; 205–18.
Thiers, life and character of; 216–19.
Times, The; 227.
Tolentino, treaty of; 120, 125.
Torquemada; 107.
Trent, council of; 25–7, 32, 195.
Tricolore, the; 67.
Trochu; 201.
Turgot; 63.

U. V.

Unam Sanctam, the; 13, 15, 21.
Unigenitus, the; 37, 74.
'University,' meaning of term in French; 172.
Urban VIII (1623–1644) 99.
Valla, Lorenzo; 24, 26.
Vatican, council of; 198–200.
Vaticanism; 233, 234.
Vaticanism, its effects on France; 260.
Vaughan, Diana; 262.
Venaissin, the; 96, 103, 120.
Veuillot, Louis; 167, 177, 178, 179, 183, 187, 213, 221.
Vienna, Congress of; 112, 139.
Villemain; 153.
Vincent of Paul, Society of; 183.
Virgin, Confraternity of; 147.
Voltaire; 39, 49, 56, 61, 62, 77, 81, 82, 103, 110, 152.

W.

Waldeck-Rousseau; 134, 238, 250, 251.
Waterloo; 149, 165.
White Terror, the; 150.
William the Silent; 32.
Wyclif; 18.

X.

Ximénès, Cardinal; 110.

Z.

Zola; 150.

Oxford: Horace Hart, Printer to the University

Telegrams:
'Scholarly, London.'

41 and 43 Maddox Street,
Bond Street, London, W.,
March, 1907.

Mr. Edward Arnold's List of New Books.

VOLUME II. OF
A STAFF OFFICER'S SCRAP-BOOK.

By LIEUT.-GENERAL SIR IAN HAMILTON, K.C.B.

With numerous Maps, Panoramic Sketches, and Illustrations.
Demy 8vo., **18s. net.**

'All who read with the keenest interest—that is to say, all who read the first volume of Sir Ian Hamilton's impressions of his experiences as our representative in the field with Kuroki's army—will turn to this second and final instalment with eagerness. And no one will be disappointed. For here are breathless interest and the enchanting glamour of an "awfully big adventure," to quote Peter Pan. Here are the splendours and miseries, the drudgery and grandeur, of war set forth with all the wealth of a fine imagination and the resources of an eloquent literary style; here are detailed accounts of battles, analyses of strategy and tactics, searching criticism of leaders and led, victors and vanquished, together with a mass of well-considered and authoritative information to elucidate our study of the greatest campaign of our own and possibly any other time. It is a volume that no military student can afford to miss, and one that no animate man can put down until the last page has been turned.'—*Evening Standard.*

LONDON: EDWARD ARNOLD, 41 & 43 MADDOX STREET, W.

MEMORIES.

By MAJOR-GENERAL SIR OWEN TUDOR BURNE, G.C.I.E., K.C.S.I.

Demy 8*vo*. *With Illustrations*. **15s. net.**

Sir Owen Burne joined the 20th Regiment (now the Lancashire Fusiliers) in 1855. He came in for the end of the Crimean War and served throughout the Indian Mutiny, receiving two steps in rank for gallantry in the field. Not long afterwards he became Military Secretary to the Commander-in-Chief, Sir Hugh Rose. He was Private Secretary to Lord Mayo until his assassination, and made a personal report on that tragic event to the Queen. Later he became Secretary in the Political and Secret Department of the India Office. He was also Private Secretary to Lord Lytton, when Viceroy, and served ten years as a member of the Council of India.

SIX RADICAL THINKERS.

By JOHN MACCUNN, LL.D.,

PROFESSOR OF PHILOSOPHY IN THE UNIVERSITY OF LIVERPOOL.

Crown 8*vo*. **6s. net.**

These brilliant essays possess an exceptional interest at the present moment when Liberal and Radical principles bulk so largely in the political arena. The six main subjects of Professor MacCunn's volume are Bentham and his Philosophy of Reform, the Utilitarian Optimism of John Stuart Mill, the Commercial Radicalism of Cobden, the Anti-Democratic Radicalism of Thomas Carlyle, the Religious Radicalism of Joseph Mazzini, and the Political Idealism of T. H. Green.

LETTERS FROM THE FAR EAST.

By Sir CHARLES ELIOT, K.C.M.G.,

AUTHOR OF 'TURKEY IN EUROPE,' 'THE EAST AFRICA PROTECTORATE' ETC.

Demy 8*vo*. *With Illustrations*. **8s. 6d. net.**

This is an exceedingly interesting series of letters on the political and social situation in India, China, Japan, and the Far East generally.

A PICNIC PARTY IN WILDEST AFRICA.

Being a Sketch of a Winter's Trip to some of the Unknown Waters of the Upper Nile.

By C. W. L. BULPETT.

Demy 8vo. With Illustrations and Map. **12s. 6d. net.**

The object of the expedition described in this book was to survey the Musha and Boma plateaux, which lie between the River Akobo and Lake Rudolph. It was organized by Mr. W. N. McMillan, an experienced American traveller, and was remarkably successful, though the fact that one of the caravans marched thirty-eight days on half-rations, largely through a country flooded by incessant rain, shows that the excursion was very far from being altogether a picnic. Mount Ungwala and a peak near Mount Naita were ascended, and hundreds of square miles of previously unexplored country were surveyed and mapped. The accounts of the abundance of game will make the sportsman's mouth water.

A considerable amount of the description of scenery and life on the Nile and Sobat is extracted from the journal of Mrs. McMillan, who accompanied her husband. Many of the illustrations are from drawings made on the spot by Mr. Jessen, cartographer of the expedition.

TIPPOO TIB.

The Story of his Career in Central Africa.

Narrated from his own accounts by Dr. HEINRICH BRODE, and Translated by H. HAVELOCK.

Demy 8vo. With Portrait and Map. **10s. 6d. net.**

In the course of a prolonged residence at Zanzibar as consular representative of Germany, Dr. Brode became intimately acquainted with the celebrated adventurer Tippoo Tib, and succeeded in inducing him to write the story of his life. This he did, in Swaheli, using Arabic characters, which Dr. Brode transcribed for translation into German. The material thus supplied by Tippoo Tib has been expanded by Dr. Brode into a remarkable picture of Africa before and during its transition into the hands of the white man.

THE PRINCES OF ACHAIA AND THE CHRONICLES OF MOREA.

A Study of Greece in the Middle Ages.

By Sir RENNELL RODD, G.C.V.O., K.C.M.G., C.B.,
AUTHOR OF 'CUSTOMS AND LORE OF MODERN GREECE,' 'FEDA, AND OTHER POEMS,' 'THE UNKNOWN MADONNA,' 'BALLADS OF THE FLEET,' ETC.

2 *Volumes. Demy 8vo. With Illustrations and Map.* **25s. net.**

In this masterly work Sir Rennell Rodd deals with a curiously interesting and fascinating subject which has never been treated of in English, though a few scanty notices of the period may be found. It is gratifying to know that the British School in Athens has of late turned its attention to the Byzantine and Frankish remains in the Morea. Meanwhile this book will fill a great blank in the historical knowledge of most people.

THUCYDIDES MYTHISTORICUS.

By F. M. CORNFORD, M.A.,
FELLOW AND LECTURER AT TRINITY COLLEGE, CAMBRIDGE

Demy 8vo. **10s. 6d. net.**

This is an important contribution to the study of Thucydides. Having attributed the causes of the Peloponnesian War almost entirely to commercial factors, Mr. Cornford shows how Thucydides, free from modern ideas of causation, unfolds the tragedy of Athens, led by Fortune at Pylos, by the Hybris and Infatuation of Cleon and Alcibiades, to the Nemesis of Syracuse. The book will be found interesting by all students of history. All passages from Greek authors are quoted in English in the text, which can be understood without reference to the Greek in the footnotes.

GREEK LIVES FROM PLUTARCH.

Newly Translated by C. E. BYLES, B.A.,
FORMERLY EXHIBITIONER OF ST. JOHN'S COLLEGE, CAMBRIDGE.

Crown 8vo. With Illustrations and Maps. **1s. 6d.**

This is an entirely new translation abridged from the Greek. Although primarily intended for the use of schools, it should be found acceptable by the general reader.

SOME PROBLEMS OF EXISTENCE.

By NORMAN PEARSON.

Demy 8*vo.* **7s. 6d. net.**

Dealing with such Problems of Existence as the origin of life, spirit and matter, free will, determinism and morality, and the sense of sin, Mr. Pearson lays down as postulates for a theory which philosophy and religion may be able to accept, and which science need not reject—(1) the existence of a Deity; (2) the immortality of man; and (3) a Divine scheme of evolution of which we form part and which, as expressing the purpose of the Deity, proceeds under the sway of an inflexible order.

THE NEXT STREET BUT ONE.

By M. LOANE,

AUTHOR OF 'THE QUEEN'S POOR.'

Crown 8*vo.* **6s.**

Like its predecessor, this book is not only a mine of interesting and amusing sketches of life among the poor, but, in its more serious aspect, a remarkable and most valuable corrective of many widely prevalent and erroneous views about the habits of thought and ethics of the poorer classes.

A HUNTING CATECHISM.

By COLONEL R. F. MEYSEY-THOMPSON,

AUTHOR OF 'REMINISCENCES OF THE COURSE, THE CAMP, AND THE CHASE,' 'A FISHING CATECHISM,' AND 'A SHOOTING CATECHISM.'

Foolscap 8*vo.* **3s. 6d. net.**

This, the third of Colonel Meysey-Thompson's invaluable handbooks, will appeal to hunting men as strongly as the previous volumes did to lovers of rod and gun. The information given is absolutely practical, the result of forty years' experience, and is largely conveyed in the form of Question and Answer. The arrangement is especially calculated to facilitate easy reference.

AT THE WORKS.

A Study of a Manufacturing Town.

By LADY BELL,

AUTHOR OF 'THE DEAN OF ST. PATRICK'S,' 'THE ARBITER,' ETC., ETC.

Crown 8*vo*. **6s.**

In this little book Lady Bell has entered upon a new branch of literature. It is not a novel, but a description of the industrial and social condition of the ironworkers of the North Country.

MEMORIES OF THE MONTHS.

FOURTH SERIES.

By the Right Hon. Sir HERBERT MAXWELL, BART., F.R.S.

Large crown 8*vo*. *With Photogravure Illustrations.* **7s. 6d.**

This fresh instalment of Sir Herbert Maxwell's delightful 'Memories of the Months' will be welcomed by lovers of his descriptions of country life.

INDIVIDUAL OWNERSHIP AND THE GROWTH OF MODERN CIVILIZATION.

Being HENRI DE TOURVILLE'S 'Histoire de la Formation Particulariste,' translated by M. G. LOCH.

NEW EDITION.

LETTERS OF MARY SIBYLLA HOLLAND.

Selected and Edited by her son, BERNARD HOLLAND.

Crown 8*vo*. **7s. 6d. net.**

To this, the third, edition of these attractive letters, Mr. Bernard Holland has added a large number of new letters, which were not included in the second edition, having been found or contributed since the date of its publication. The book is now in its final and complete form.

THE REMINISCENCES OF LADY DOROTHY NEVILL.

Edited by her Son, RALPH NEVILL.

Demy 8vo. With Portrait. **15s. net.**

SIXTH IMPRESSION.

There are very few persons living whose knowledge of English Society is, literally, so extensive and peculiar as Lady Dorothy Nevill's, and fewer still whose recollections of a period extending from the day of the postchaise to that of the motor-car are as graphic and entertaining as hers. In the course of her life she has met almost every distinguished representative of literature, politics and art, and about many of them she has anecdotes to tell which have never before been made public. She has much to say of her intimate friends of an earlier day—Disraeli, the second Duke of Wellington, Bernal Osborne, Lord Ellenborough, and a dozen others—while a multitude of more modern personages pass in procession across her light-hearted pages. A reproduction of a recent crayon portrait by M. Cayron is given as frontispiece.

PERSONAL ADVENTURES AND ANECDOTES OF AN OLD OFFICER.

By Colonel JAMES P. ROBERTSON, C.B.

Demy 8vo. With Portraits. **12s. 6d. net.**

The phrase 'a charmed life' is hackneyed, but it may be used with peculiar appropriateness to describe Colonel Robertson's military career. 'The history of my nose alone,' says the cheery old soldier in his Preface, 'would fill a chapter,' and, indeed, not only his nose, but his whole body, seem to have spent their time in, at all events, running a risk of being seriously damaged in every possible way. The book, in fact, is simply full of fine confused fighting and hair-breadth escapes.

Joining the 31st Regiment in 1842, Colonel Robertson took part in the Sutlej Campaign from Moodkee to Sobraon. He was in the Crimea, and throughout the Mutiny he commanded a regiment of Light Cavalry, doing repeatedly the most gallant service. The incidents of life in Ireland and the Ionian Islands during the intervals of peace are worthy of 'Charles O'Malley,' and are described with something of Lever's raciness of touch.

THE AFTERMATH OF WAR.

An Account of the Repatriation of Boers and Natives in the Orange River Colony.

By G. B. BEAK

Demy 8vo. With Illustrations and Map. **12s. 6d. net.**

The author, after serving nearly two and a half years in the South African War, was appointed Assistant Secretary of the Orange River Colony Repatriation Department, and subsequently Assistant Director of Relief under the Government. His information is thus not only first-hand but unique. The book is illustrated with some extremely interesting photographs.

'The book is sure to become a standard work, for it throws a flood of light upon and solves many of the knotty questions of that period which have agitated men's minds at home and abroad.'—*Daily Telegraph.*

PATROLLERS OF PALESTINE.

By the Rev. HASKETT SMITH, M.A., F.R.G.S.

Editor of 'Murray's Handbook to Syria and Palestine,' 1902;

Large crown 8vo. With Illustrations. **10s. 6d.**

The late Mr. Haskett Smith was a well-known authority on the Holy Land, and in this book he personally conducts a typical party of English tourists to some of the more important sites hallowed by tradition.

'The reader is not only charmed by the pleasant experiences and the interesting discussions of the pilgrims, but at the same time he acquires a great deal of information which would otherwise have to be sought in a combination of cyclopædia, "Speaker's Commentary," and guide-book.'—*Tribune.*

POLITICAL CARICATURES, 1906.

By Sir F. CARRUTHERS GOULD.

Super royal 4to. **6s. net.**

The change of Government, with the consequent variety of political topics, very greatly enhances the attraction of this new volume of cartoons by 'Sir F. C. G.' If the increased acerbity of political relations is found to be slightly reflected in these later cartoons, the many fresh and interesting studies are no less happily handled than those produced under the Conservative régime.

NEW FICTION.

Crown 8vo. **6s.** *each.*

THE SUNDERED STREAMS.
By REGINALD FARRER,
AUTHOR OF 'THE GARDEN OF ASIA' AND 'THE HOUSE OF SHADOWS.

BENEDICT KAVANAGH.
By GEORGE A. BIRMINGHAM,
AUTHOR OF 'THE SEETHING POT' AND 'HYACINTH.'

THE GOLDEN HAWK.
By EDITH RICKERT,
AUTHOR OF 'THE REAPER' AND 'FOLLY.

FOURTH IMPRESSION.

THE LADY ON THE DRAWINGROOM FLOOR.
By M. E. COLERIDGE.

SECOND IMPRESSION.

THE MILLMASTER.
By C. HOLMES CAUTLEY.

SECOND IMPRESSION.

QUICKSILVER AND FLAME.
By ST. JOHN LUCAS.

SECOND IMPRESSION.

THE BASKET OF FATE.
By SIDNEY PICKERING.

OCCASION'S FORELOCK.
By VIOLET A. SIMPSON.

ABYSSINIA OF TO-DAY.

An Account of the First Mission sent by the American Government to the King of Kings.

By ROBERT P. SKINNER,

COMMISSIONER TO ABYSSINIA, 1903-1904: AMERICAN CONSUL-GENERAL; FELLOW OF THE AMERICAN GEOGRAPHICAL SOCIETY; SOCI DOU FELIBRIGE.

Demy 8vo. With numerous Illustrations and Map. **12s. 6d. net.**

The object of this American Mission to the Emperor Menelik was to negotiate a commercial treaty. The Mission was extremely well received, and the expedition appears to have been a complete success. The picture drawn by Mr. Skinner of the Abyssinians and their ruler is an exceedingly agreeable one; and his notes on this land of grave faces, elaborate courtesy, classic tone, and Biblical civilization, its history, politics, language, literature, religion, and trade, are full of interest; there are also some valuable hints on the organization and equipment of a caravan.

WESTERN TIBET AND THE BRITISH BORDERLAND.

By CHARLES A. SHERRING, M.A., F.R.G.S.,

INDIAN CIVIL SERVICE; DEPUTY COMMISSIONER OF ALMORA.

Royal 8vo. With Illustrations, Maps and Sketches. **21s. net.**

During the last few years Tibet, wrapped through the centuries in mystery, has been effectively 'opened up' to the gaze of the Western world, and already the reader has at his disposal an enormous mass of information on the country and its inhabitants. But there is in Western Tibet a region which is still comparatively little known, which is especially sacred to the Hindu and Buddhist, and in which curious myths and still more curious manners abound; and it is of this portion of the British Borderland, its government, and the religion and customs of its peoples, that Mr. Sherring writes.

The book contains a thrilling account by Dr. T. G. Longstaff, M.B., F.R.G.S., of an attempt to climb Gurla Mandhata, the highest mountain in Western Tibet, with two Swiss guides.

LETTERS OF GEORGE BIRKBECK HILL,

D.C.L., LL.D., Hon. Fellow of Pembroke College, Oxford.

Arranged by his Daughter, LUCY CRUMP.

Demy 8vo. *With Portraits.* **12s. 6d. net.**

Dr. Birkbeck Hill's 'Letters' form, with a few connecting links written by his daughter, an autobiography whose charm lies in its intimate portrayal of a character which was, in its curious intensity, at once learned, tender, and humorous. He wrote as he talked, and his talk was famous for its fund of anecdote, of humour, of deep poetic feeling, of vigorous literary criticism, and no less vigorous political sentiment. As an Oxford undergraduate, he was one of the founders, together with Mr. Swinburne, Prof. A. V. Dicey, and Mr. James Bryce, of the Old Mortality Club. He was intimately connected also with the Pre-Raphaelites. At college, at home, on the Continent, or in America, everywhere he writes with the pen of one who observes everything, and who could fit all he saw that was new into his vast knowledge of the past. His editions of 'Boswell's Johnson,' of 'Johnson's Letters,' and 'The Lives of the Poets' have passed into classical works. But that his writings were not exclusively Johnsonian is abundantly shown by such books as the Letters of Hume, Swift, General Gordon, and Rossetti, as well as by his 'Life of Sir Rowland Hill,' his 'History of Harvard University,' and various collections of essays.

LETTERS TO A GODCHILD

ON THE CATECHISM AND CONFIRMATION.

By ALICE GARDNER,

ASSOCIATE AND LECTURER OF NEWNHAM COLLEGE, CAMBRIDGE; AUTHOR OF 'FRIENDS OF THE OLDEN TIME,' 'THEODORE OF STUDIUM,' ETC.

Foolscap 8vo. **2s. 6d. net.**

This series of actual Letters written to an actual Godchild on the subject of Confirmation is intended for parents and teachers who either feel that some of the instruction to be derived from the Catechism is obscured by archaism of style and thought, or who desire something in the way of a supplement to the Catechism. It is not intended to take the place of works of formal religious instruction.

TRANSLATIONS INTO LATIN AND GREEK VERSE.

By H. A. J. MUNRO,

SOMETIME FELLOW OF TRINITY COLLEGE, AND PROFESSOR OF LATIN IN THE UNIVERSITY OF CAMBRIDGE.

With a Prefatory Note by J. D. DUFF,

FELLOW OF TRINITY COLLEGE, CAMBRIDGE.

Medium 8*vo*. *With a Portrait*. **6s. net.**

These translations were originally printed for private circulation in the autumn of 1884, a few months before the author's death. They were never published, and for years past the price asked for the book second-hand has been high. It has therefore been decided, with the consent of Munro's representatives, to reprint the work, so that those who are interested in Latin Verse and in Munro may acquire a copy at a reasonable price.

NEW AND CHEAPER EDITION.

THE QUEEN'S POOR.

Life as they find it in Town and Country.

By M. LOANE.

Crown 8*vo*. **3s. 6d.**

Sir ARTHUR CLAY, Bart., says of this book: 'I have had a good deal of experience of "relief" work, and I have never yet come across a book upon the subject of the "poor" which shows such true insight and such a grasp of reality in describing the life, habits, and mental attitude of our poorer fellow-citizens. . . . The whole book is not only admirable from a common-sense point of view, but it is extremely pleasant and interesting to read, and has the great charm of humour.'

NEW EDITION, ENTIRELY REWRITTEN.

PSYCHOLOGY FOR TEACHERS.

By C. LLOYD MORGAN, LL.D., F.R.S.,

PRINCIPAL OF UNIVERSITY COLLEGE, BRISTOL;
AUTHOR OF 'THE SPRINGS OF CONDUCT,' 'HABIT AND INSTINCT,' ETC.

Crown 8*vo*. **4s. 6d.**

For this edition, Professor Lloyd Morgan has entirely rewritten, and very considerably enlarged, his well-known work on this important subject. He has, in fact, practically made a new book of it.

MISREPRESENTATIVE WOMEN,

AND OTHER VERSES.

By HARRY GRAHAM,

AUTHOR OF 'RUTHLESS RHYMES FOR HEARTLESS HOMES,' 'BALLADS OF THE BOER WAR, 'MISREPRESENTATIVE MEN,' 'FISCAL BALLADS,' 'VERSE AND WORSE,' ETC.

Foolscap 4to. With Illustrations by DAN SAYRE GROESBECK. **5s.**

Admirers of Captain Graham's ingenious and sarcastic verse will welcome this fresh instalment, which contains, among the 'other verses,' a number of 'Poetic Paraphrases' and 'Open Letters' to popular authors.

THE LAND OF PLAY.

By MRS. GRAHAM WALLAS.

Crown 8vo. With Illustrations by GILBERT JAMES. **3s. 6d.**

The four stories which make up this delightful children's book are entitled 'Luck-Child,' 'The Princess and the Ordinary Little Girl,' 'Professor Green,' and 'A Position of Trust.'

A SONG-GARDEN FOR CHILDREN.

A Collection of Children's Songs

Adapted from the French and German by
HARRY GRAHAM AND ROSA NEWMARCH.

The Music Edited and Arranged by
NORMAN O'NEILL.

Imperial 8vo. Paper. **2s. 6d. net.**
Cloth, gilt top. **4s. 6d. net.**

This is a charming collection of forty-three French and German songs for children translated and adapted by Capt. Graham and Mrs. Newmarch. It includes nine songs arranged by J. Brahms for the children of Robert and Clara Schumann.

A HANDBOOK OF SKIN DISEASES AND THEIR TREATMENT.

By ARTHUR WHITFIELD, M.D. (LOND.), F.R.C.P.,
PROFESSOR OF DERMATOLOGY AT KING'S COLLEGE; PHYSICIAN TO THE SKIN DEPARTMENTS KING'S COLLEGE AND THE GREAT NORTHERN CENTRAL HOSPITALS.

Crown 8vo. With Illustrations. **8s. 6d. net.**

This book is designed especially to meet the needs of those who have to treat the commoner skin diseases. While giving short descriptions of the rarer forms, the chief attention is bestowed on those more frequently met with. The diagnostic features of the various eruptions are dealt with in detail, in order that they may give help in determining the lines of treatment. The more recent work in clinical pathology, both microscopical and chemical, is for the first time brought into use in an English text-book. The book is freely illustrated with original photographs.

THE CHEMICAL INVESTIGATION OF GASTRIC AND INTESTINAL DISEASES BY THE AID OF TEST MEALS.

By VAUGHAN HARLEY, M.D. EDIN., M.R.C.P., F.C.S.,
PROFESSOR OF PATHOLOGICAL CHEMISTRY, UNIVERSITY COLLEGE, LONDON;
And FRANCIS GOODBODY, M.D. DUB., M.R.C.P.,
ASSISTANT PROFESSOR OF PATHOLOGICAL CHEMISTRY, UNIVERSITY COLLEGE, LONDON.

Demy 8vo. **8s. 6d. net.**

This book opens with a description of the method of obtaining gastric contents, and the estimation of the capacity of the stomach. The various Test Meals employed in diagnosis are next described. The macroscopical examination of the gastric contents and conclusions to be drawn on inspection are discussed, and a short description of the microscopical appearances follows. The chemical analysis of the gastric contents is then given. The Organic Diseases of the Stomach are all separately described, with specimen cases of analysis to illustrate them. The Functional Diseases of the Stomach, which are more frequently met with in ordinary practice than the Organic Diseases, are also very fully given. The chemical methods employed in the investigation of Intestinal Diseases are then described with great fulness, four types of Test Meals being given.

A GUIDE TO DISEASES OF THE NOSE AND THROAT AND THEIR TREATMENT.

By CHARLES ARTHUR PARKER, F.R.C.S. EDIN.

Demy 8vo. With 254 Illustrations. **18s. net.**

EXTRACT FROM THE PREFACE.

'To acquire the necessary dexterity to examine a patient systematically so as to overlook nothing, to recognise and put in its proper place the particular pathological condition found, and finally, but chiefly, to treat both the patient and the local abnormality successfully, seem to me the three most important objects of a course of study at a special hospital. This book, which is founded on lectures given at the Throat Hospital with these objects in view, is now published in the hope of helping those who are either attending or have attended a short course of study at special departments or special Hospitals for Diseases of the Throat and Nose. . . .'

THE DIAGNOSIS OF NERVOUS DISEASES.

By PURVES STEWART, M.A., M.D., F.R.C.P.,

PHYSICIAN TO OUT-PATIENTS AT THE WESTMINSTER HOSPITAL, AND JOINT LECTURER ON MEDICINE IN THE MEDICAL SCHOOL; PHYSICIAN TO THE ROYAL NATIONAL ORTHOPÆDIC HOSPITAL; ASSISTANT PHYSICIAN TO THE ITALIAN HOSPITAL.

Demy 8vo. With Illustrations and Coloured Plates. **15s. net.**

This book, which is intended for the use of senior students and practitioners, to supplement the ordinary text-books, discusses the most modern methods of diagnosis of Diseases of the Nervous System. The substance of the work, which is illustrated by original diagrams and clinical photographs, nearly 200 in number, was originally delivered in lecture form to students at the Westminster Hospital and to certain post-graduate audiences in London and elsewhere. The subject of Nervous Diseases is approached from the point of view of the practical physician, and the diagnostic facts are illustrated, as far as possible, by clinical cases.

MIDWIFERY FOR NURSES.

By HENRY RUSSELL ANDREWS, M.D., B.Sc. LOND., M.R.C.P. LOND.,

ASSISTANT OBSTETRIC PHYSICIAN AND LECTURER TO PUPIL MIDWIVES AT THE LONDON HOSPITAL; EXAMINER TO THE CENTRAL MIDWIVES BOARD.

Crown 8*vo*. *With Illustrations*. **4s. 6d. net.**

This book is intended to supply the pupil midwife with all that is necessary to meet the requirements of the Central Midwives Board, and to be a practical handbook for the certificated midwife.

ALTERNATING CURRENTS.

A Text-book for Students of Engineering.

By C. G. LAMB, M.A., B.Sc.,

CLARE COLLEGE, CAMBRIDGE,

ASSOCIATE MEMBER OF THE INSTITUTION OF ELECTRICAL ENGINEERS; ASSOCIATE OF THE CITY AND GUILDS OF LONDON INSTITUTE.

Demy 8*vo*. *With Illustrations*. **10s. 6d. net.**

The scope of this book is intended to be such as to cover approximately the range of reading in alternating current machinery and apparatus considered by the author as desirable for a student of general engineering in his last year—as, for example, a candidate for the Mechanical Sciences Tripos at Cambridge.

A MANUAL OF HYDRAULICS.

By R. BUSQUET,

PROFESSOR À L'ÉCOLE INDUSTRIELLE DE LYON.

Translated by A. H. PEAKE, M.A.,

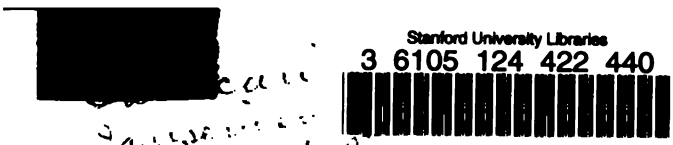
DEMONSTRATOR IN MECHANISM AND APPLIED MECHANICS IN THE UNIVERSITY OF CAMBRIDGE.

Crown 8*vo*. *With Illustrations*. **7s. 6d. net.**

This work is a practical text-book of Applied Hydraulics, in which complete technical theories and all useful calculations for the erection of hydraulic plant are presented. It is not a purely descriptive work designed merely for popular use, nor is it an abstruse treatise suitable only for engineers versed in higher mathematics. The book is well illustrated, and is full of Arithmetical Examples fully worked out. In these examples, no knowledge is assumed beyond that of simple arithmetic and the elements of geometry.

916

R



DEC 1 '82 FEB 12 1976

FEB 6 '87 DOC JAN 26 1993

Stanford University Library
Stanford, California

In order that others may use this book, please return it as soon as possible, but not later than the date due.